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AN

EXAMINATION

OF THE

VARIOUS CHARGES

EXHIBITED AGAINST

AARON BURR, ESQ.

VICE-PRESIDENT OF THE UNITED STATES ;

AND

A DEVELOPEMENT

OF THE

CHARACTERS AND VIEWS

OF HIS

POLITICAL OPPONENTS.

A NEW EDITION;

REVISED AND CORRECTED, WITH ADDITIONS.

BY ARISTIDES.

(William P. Van Ness)

“ I am not of the number of those men who are perpetually troubling and disturbing you ; I hold not any office of trust or of administration in the state ; I, therefore, come forward with confidence, and denounce transactions like these.”

PRINTED FOR THE AUTHOR.

1804.

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P R E F A C E.

IN compliance with repeated and earnest solicitations, the public are here presented with another edition of a work, which their partiality has allowed to possess a portion of merit above the ordinary level of similar productions. That the reader might have an entire view of the whole controversy, I have interwoven an answer, to such parts of the Clintonian pamphlet, entitled "*A Reply to Aristides, by James Cheetham,*" as could be thought in the least deserving notice. In revising my work, it will be seen, I have not only methodized it throughout, which was much wanted, but I have descended to a minute and elaborate refinement in the style, to a degree, which nothing but my respect for the public, and a desire to render the composition more worthy of their favour, could have induced. The comparison of the two editions in this particular, may afford some amusement to the young student and the verbal critic.

THE characters have all of them been less or more retouched; some sparingly, others with greater freedom; but care has always been taken that this should not be done at the expense of similitude. One portrait has been wholly withdrawn from the exhibition—this arose not from a sudden and capricious partiality, but is intended as the best reward in my power for very honourable conduct on a late important occasion. Another however has been added, though only a sketch; it is the representation of one whose insignificance the present agitation of things has brought up from the bottom to the surface.

IF the first edition of Aristides was entitled to the flattering reception it met with, it is with some confidence hoped, this will not be found less deserving the same honourable distinction.

THE AUTHOR.

AN EXAMINATION, &c.

THE subject of the following pages has so long occupied the attention of the public, that I can scarcely hope for a candid perusal of their contents: the patience of some is no doubt exhausted, and the prejudices of others have been roused by the numerous and elaborate productions, which have successively appeared. The attack on the vice-president has been conducted with a vehemence of zeal, calculated to make an impression favourable to the hopes and views of its authors; especially on those who were ignorant of their real motives. These motives I shall attempt to explain. Having truth alone in view, I shall endeavour to place the controversy fairly before the public, that its merits may be examined, and the purposes of justice be accomplished.

IF Mr. Burr has been guilty of the conduct ascribed to him, I have no disposition to shield him from public indignation; but if the testimony which has been disclosed, is such as to show that his conduct has been uniformly honourable and correct, it is the duty of every lover of justice, of every friend to the government, to clear his character from the malignant aspersions of his undeserved and wicked enemies.

THOUGH I may discover less talents in the investigation of this subject, than those whose productions I am to analyze, I feel a just pride in the consciousness that my intentions are more correct. Though I may exhibit no brilliant testimonials

of genius, or should fail to please by the sprightly effusions of fancy, something like conviction may be produced, by an examination of facts, in plain and intelligible language.

To those at a distance from the field of controversy, it will be impossible, without leading their attention back to circumstances and facts anterior to the election which raised Mr. Burr to the vice-presidency, to convey an adequate idea of the causes that have produced divisions among us. In tracing to their source the evils that afflict us, we may meet perhaps with the causes that have produced them. By uncovering the secret springs that have moved to action our jealous statesmen, and by disclosing the ambitious views of opposing interests, we may develop the mysterious inconsistencies that have occasionally marked our political career, and explain the questions that now divide the republican interest. Although these points have already been the subject of much discussion, there is something so useful in recurring to every transaction intimately connected with the present controversy, that I hope occasional repetitions will be received without censure.

If, in my progress, I should digress into an examination of the characters of certain individuals, who have rendered themselves conspicuous by their conduct upon this occasion, I trust it will be pardoned. A knowledge of the men who have assumed upon themselves the office of instituting an inquiry into the political conduct of the vice-president, will tend directly to explain their motives.

AMONG the evils incident to free governments, none are more to be feared than the virulence of party spirit, and the violence of political animosities. The nature of our political establishments, the intricate and extensive concerns of a confederated union, seem well calculated to generate those national disunions, which, by diminishing our strength, will inevitably sink our dignity abroad, while they endanger our happiness and safety at home. But much as the intemperance of political opponents is to be deprecated, I fear a difference of senti-

ment as to the general conduct of the administration, and as to the principles of national policy, will terminate only with the existence of our government. It has been said that national parties often answer salutary purposes. This is an opinion which though it may be entitled to respect, is unnecessary to be here discussed. No advantage that my mind is able to conceive can result from suffering the constitution to be suspended by a hair, merely for the purpose of sustaining the attacks of contending parties, or from leaving the laws and the complicated machinery of our civil institutions, to float on the surface of political controversy. Nothing very useful can arise from permitting every constitutional provision to be tortured by the arbitrary constructions of ambitious and opposing statesmen; from suffering familiar deviations from well established rules; or from permitting the passions and prejudices of aspiring politicians, to prostrate the barriers that should circumscribe their views, and limit the hopes of human pride. Though these divisions, by rousing the passions, may enliven the sentiments of freedom, and by the collision of action brighten the chain of our union, continual convulsions must also impair the strength, and dissolve the bands that bind the body politic together.

SINCE the establishment of the federal government, no state in the union has been more agitated by the efforts of contending parties, than the one in which we live. After retracing its political history to the adoption of the federal constitution, few I believe, will be disposed to doubt the justice of this remark. They will find its course occasionally designated by a violence that has brought the fundamental principles of the government into question, and liberty itself "to the brink of ruin." They will see that the constitution has been tortured, and the laws violated, by the shameless inconsistencies of party spirit. It was at the period above referred to that the line was drawn between the two parties that have alternately prevailed, and those unfortunate distinctions admitted which have been continued under various modifications to the present day.

THOSE who advocated the adoption of the constitution as it

had been prepared by the convention at Philadelphia, assumed the name of federalists.—Others, who though convinced of the feebleness of the old articles of confederation, and of their incompetency to secure the safety and integrity of the American empire, still thought the proposed constitution inadequate to the object contemplated, were termed anti-federalists. Though this appellation might have been characteristic at that moment, yet it soon after ceased to be so. When they found that a sufficient number of the states had expressed their approbation of the instrument, many of these men not only abandoned their hostility to it, but became its sincere and genuine supporters.

THE framers of the present constitution, have certainly manifested proofs of their political sagacity. It is highly republican, and seems well calculated to resist most of the evils, which human wisdom can foresee. The representative system is extended as far as the imperfections of human nature will justify. But, after all, it is certainly capable of being so administered, as that under different administrations it will assume opposite complexions. The executive is armed with sufficient powers to administer the government with vigour and activity, and to check the pernicious deviations of temporary agitation. Yet a chief magistrate, possessed of a *speculative turn of mind; of but little acquaintance with human nature; indulging in visionary schemes of reformation, and sighing for the happy days of man's perfectibility*, may relax the reins of government till its democratic ingredients shall gain the ascendancy, and in their eccentric operations substitute the most hazardous principles of modern philosophy for wise and salutary provisions.

THE anti-federal, or what is now more properly called the republican party, have ever wished for a chief magistrate, who would observe a proper medium between the extremes of too lax and too rigid an administration. Their opponents on the contrary have sought every occasion to arm the executive not only with all the power which the constitution fairly gave, but with all that could be extracted from it by construction. This

I conceive forms the true distinction between our national parties. The difference appears to me not to relate to the soundness of the *fundamental* principles of our government, but to the *spirit* which shall be infused into it by men in power. I shall not pursue these observations, because they may lead the attention of the reader from that question, which alone it is my object to elucidate.

THE spirit of parties which originated in the animated discussions that took place in the convention of 1788, continued to increase to the destruction of private friendship, and the interruption of social intercourse, till the return of the election in the year 1792. A contest for the chief magistracy then ensued, between Mr. Clinton and Mr. Jay, which before its determination shook the government to its centre. To form a just conception of the violence of opposing interests at that period, it will only be necessary for the reader to advert to the conduct of the persons appointed to canvass the votes taken at that election.

THE popularity of Governor Clinton, from a combination of circumstances unnecessary to enumerate, had so far declined since the convention of 1788, that many of the most powerful republicans in the state, encouraged the nomination of Judge Yates in 1789.

THE federal interest, however, was then so inconsiderable, that Mr. Clinton was again the successful candidate. The subsequent events in the department of the land office, so rapidly reduced his influence, that Mr. Jay, his opponent, in 1792, would infallibly have been elected, had not the votes of several counties, constituting a majority in his favour, been set aside and burnt by the canvassers, because, in the opinion of some, they had not been returned *precisely* according to law.

THE number of independent suffrages committed to the flames on that occasion, would have insured the success of the federal candidate. Though then among the warmest supporters of

the republican party, I did at the time, and while possessed of a mind capable of reflection, ever shall, condemn the proceedings alluded to, as in the highest degree, arbitrary and unwarrantable. The dissatisfaction and dissensions which the illjudged measures of Mr. Clinton's administration continued to produce among the republican party, so far divided, and diminished its strength, while it invigorated the efforts of its opponents, that in 1795 the government passed into the hands of the federalists.

THIS year Judge Yates was the republican, and Mr. Jay the federal candidate for the chief magistracy. Mr. Clinton, from a variety of circumstances, had found it prudent to decline a nomination. And indeed on examining his pretensions with some accuracy, it will no doubt appear singular to many, that the reins of government remained so long in the hands of this gentleman. Many events which though within the knowledge of the writer, it is impossible here to detail, contributed to continue him in office.

IT is undeniably true that there is always a reluctance in the public mind, to change public officers, while they remain of the same political sentiments with a majority of the people, and retain the appearance of honesty, with any tolerable share of their energy of mind. To this cause, and to gratitude for his meritorious conduct during the revolution, Mr. Clinton has been indebted for his continuance in office.

As his retirement from office was *apparently* voluntary, and no farther evils could be apprehended from his administration, the federal party, who had uniformly opposed the measures of his government, relaxed in the severity of their invectives, while those who had supported his political conduct, were happy in an opportunity to consign to oblivion, those errors which had occasionally received the independent censures of Mr. Burr, and the severest animadversions of his eloquence. I too should have left them undisturbed, had he not again appeared upon the theatre of political action, exhibiting lamenta-

ble instances of an imbecility of mind which yields with blind submission to the dictates of a persecuting faction. Heedless of the public good, he is now with a fatal irresolution, suffering the general welfare to be undermined and jeopardized by the shameful machinations of individual ambition. If he has not discernment enough to discover the evil tendency of the measures, to which he has been driven by a few desperate adventurers, he is unfit to be the chief magistrate of the state: If he does perceive it, and has neither the virtue nor the firmness to make a bold resistance to men, whose selfish and dishonourable schemes are involving us in ruin, he is criminal, and deserves no lenity from those who undertake to animadvert upon the present alarming dissensions in the republican party.

AFTER what has been said, the reader will clearly perceive, both from the nature of the opposition in 1789, and from the manner in which it was found necessary to declare him governor in 1792, that Mr. Clinton's popularity at that time was very equivocal. What it became afterwards, and what it is now, will be shown hereafter. From the republican support given Judge Yates at the first period alluded to, and the state of the subsequent election, it appears conclusively, that Mr. Clinton never has been that idol of the party, which his unblushing eulogists wish the world to believe.

IN the support of him as governor, the republicans were influenced by a respect for his character during the war, which inspired them with a hope, that he would continue to maintain the principles he then professed. They now see with mingled astonishment and concern, that he has dwindled into the mere instrument of an ambitious relative, and his mercenary adherents; that a paltry and contemptible *faction*, alike destitute of talents and of worth, are sheltering themselves under his name, availing themselves of the impotency of his age, and converting him into a convenient tool, through whom they may dispose of the honours and offices of the state for their own profit and aggrandizement.

I AM aware, that by my mode of treating the subject under

examination, the charge of digression may be incurred. It is admitted that the immediate object of my inquiry is, to explain the factious dispositions, and subordinate interests, which have introduced inveterate evils among those who have hitherto appeared to associate upon principles of general policy: But to accomplish this, I have deemed it primarily necessary, to take a retrospective view of transactions, which are either directly or consequentially connected with our present differences.

IN a work entitled “A View of the political conduct of Aaron Burr, Esq.” and which I shall presently make the subject of examination, it is unequivocally, though falsely stated, and his support of Judge Yates in 1789 given as the foundation of the assertion, that Mr. Burr began his political career on the side of federalism. Though I think it of no importance at this moment, still no inference of this kind can be warranted by the circumstance in question. It is a fact which defies contradiction that many republicans, who had rendered as important services to the country during the revolution, and to the cause of freedom afterwards, as Governor Clinton or any of his connexions, had no confidence in his talents, and warmly advocated the election of his opponent. But as it is now, so was it then; the immediate adherents of Mr. Clinton, deemed his right to the chief magistracy so divine and indefeasible, that every man who had the audacity to refuse him his suffrage, no matter how low or elevated his station, how humbled or dignified his character, was branded with every odious epithet that ingenuity could devise. But what must be the shameless audacity of a party who urge this as an objection to Mr. Burr, while they are giving all their support to a man, as Governor of the state, who was for a number of years as decided, as violent, as persecuting a federalist as any one in this country; if we except Ambrose Spencer. Yes, fellow-citizens, Mr. Lewis, now offered to your suffrages as Governor, was once as determined a federalist as any one in all their ranks; and Mr. Burr is to be for ever banished from society by an unfounded insinuation that he *was once a federalist!* I challenge the annals of impudence to produce an instance to compare with this.

To return : From this early period may be dated the hatred and enmity which the Clinton family have uniformly borne towards the vice-president. Conscious of the impurity of their motives, and the iniquity of their designs, in darkness they have meditated his destruction, and like cowards, sought to blast his reputation. One, in confidential correspondences, would hazard insinuations calculated to rouse impatience and anxiety ; another would whisper suspicions into the ears of a friend, with painful caution, and much solicitude as to the degree of truth to be attached to them. In this tortuous and hidden course, have they pursued the character of a man whose energy and talents they dreaded, and in whose presence they humbly acknowledged their inferiority.

SOON after this period, arose a distinct interest, if it may so be termed, originating in a preference for the talents and political knowledge of Mr. Burr : a preference confirmed by the impolitic conduct of Mr. Clinton towards those who were unfriendly to his election in 1789. With these men he never could be reconciled, and against them he directed the whole force of his official influence. Accordingly in 1792, we see Mr. Burr was solicited, though unsuccessfully, to permit himself to be a candidate for the government. The unmanly and incautious jealousy of Mr. Clinton on this occasion, alienated from him a powerful portion of the party, and produced the critical state of the election that took place in that year. It was impossible any longer to unite the republican force in his support, and this was the true cause of his resignation in 1795 ; which, though apparently voluntary, was not proclaimed until he was convinced that his re-election was impracticable.

THAT Mr. Burr, for several years subsequent to the revolution, bore no uncommon share in the *civil* concerns of the state, is admitted without hesitation. But that his political inactivity proceeded from insensibility to the welfare and prosperity of his country, would be an inference as uncharitable as unfounded. The turbulence of war, and the convulsions of the revolution, interrupted his literary career, and the unsocial sound of

the drum impelled him, at an inauspicious period, to the field. At the moment of returning peace, he resumed the cultivation of his mind. At once aspiring at professional eminence, with unequalled ardour he grasped at erudition, and adhered to his legal pursuits, with a zeal and an ambitious industry, that raised him with rapidity to the head of his profession, in which elevated sphere he moved with distinguished applause, till he was selected, in 1791, to represent this state in the senate of the union. In this exalted station, we recognize in him the deportment of a statesman, dignified and firm. The uniformity of his conduct, during the whole of his senatorial term, established his character as a firm republican. The present secretary of the treasury, Mr. Gallatin, has frequently declared, that he had examined with care and attention the journals of the senate of the United States, and could not discover that Mr. Burr had ever given an anti-republican or even an equivocal vote, while a member of that body; and his nomination for the vice-presidency, in 1797, is indubitable evidence of the high estimation in which he was held by his party.

THE year in which Mr. Burr's seat in the senate expired, which was in 1797, he was chosen to represent the city of New-York in the state legislature.

NOTWITHSTANDING the ingenuity with which the author of "THE VIEW," has, through the whole of his work, distorted the conduct, and discoloured the motives of Mr. Burr, he has not been able to point out a single instance, during the session of the legislature which took place in this year, that was exceptionable to the republican party.

BUT the succeeding year, (1798) was pregnant with portentous events.

To gratify the extreme anxiety and officious solicitude of Chancellor Livingston, as well as to pacify the clamorous vanity of his relatives, the republican party after much hesitation, agreed to support that "learned" personage for the chief magis-

tracy. It was at this time, that this gentleman and his numerous connexions, notoriously destitute as he was of claims upon the public, and of all attachment to the principles of republicanism, strenuously advanced claims to power; founding their pretensions upon the virtues of an ancient name, and *hereditary wealth*. Although at the period that settled the constitution of the states, they had openly fought under the banners of federalism, yet they had now conveniently changed with times, and become zealous *friends of the people*, that thus they might unperceived climb the ladder of ambition, and usurp political authority. The just odium attached to their instability of principle and their persevering activity in interested pursuits, at the expense of honest views, the infraction of private engagements, and the violation of public trusts, had hitherto excluded them from the confidence of the people, and almost from all participation in the honours or emoluments of public offices. The just estimation of their views, is perhaps the most decisive instance of sound judgment that characterised the former administration of Mr. Clinton. And notwithstanding their late apparent reconciliation, which I shall presently notice, impressions have been made that nothing can eradicate: A hatred has been engendered between them that no time can cool, nor any ingenuity long conceal. The result of the election terminated as was foreseen, in the defeat and mortification of Mr. Livingston, and confirmed the conviction of the party, that the people had no confidence in his political integrity, and had been disgusted by his arrogant pretensions.

IN returning to Mr. Burr, and his conduct during the legislative session of 1798, as detailed in the "*View*," we have a picture presented so diversified and curious, as to captivate the most capricious attention, so bold and striking, as to amuse the most juvenile fancy, and disturb the sober gravity of age. We find him represented as, at the same time, "stiff and reserved, distrusted by the federalists, and suspected by his own party: On delicate questions, backward in exhibiting his sentiments: Occasionally manifesting a double front, and furnishing abun-

dant reason, to suspect the purity of his intentions, and the sincerity of his political professions."*

THESE insidious surmises are calculated to prejudice the mind of the reader, and prepare it for more serious insinuations, and the reception of bolder falsehoods. The common sense of every man, however, who possesses the smallest knowledge of the political transactions of that day, will at once discover the malignity of the mind that conceived and gave them to the world.

To substantiate all these charges, one instance of "*double dealing*" is attempted to be shown. And what is it? Why that when the council of appointment was to be chosen; Mr. Burr was not in the house. Conclusive testimony, triumphant proof indeed, for this sapient author! But unfortunately for him, eleven other members it appears were absent, besides Mr. Burr, and his vote would not have varied the result of the choice that was made. Col. Burr, however, must be responsible for the loss of the election at all events, because it will answer the purposes of his vindictive enemies. Upon such circumstances, such incidents, such accidental occurrences, is the reputation of this gentleman to be torn to pieces, and scattered before the winds of heaven, the sport of every malicious rival, and mechanical traducer.

THE reader will perceive that to pursue the author of the *View* through the wide field of abuse and calumny in which he has wandered, would involve me in endless labour, and far exceed the limits which I have prescribed to the examination of these subordinate charges. I shall therefore only notice a few of those which appear most deserving of attention.

THE appropriation of twelve hundred thousand dollars, moved by Mr. Burr in the extra meeting of the legislature in August 1798, now made a subject of attack in the "*View*," deserves the approbation of his country. The defenceless and

* See *View*, p. 25.

exposed state of one of the most important ports in the union, is a disgrace to the general government, and a reproach upon the public spirit of the state. It is matter of astonishment to every intelligent traveller, and of regret to every friend to the safety and dignity of his country, that a city, whose natural advantages are superior to any in the United States, whose political consequence to the federal union is incalculable, and which annually pays into the national treasury one third of the whole revenue of the country, may be subjected to contribution by a single frigate, or be insulted, laid waste and burnt, by every petty pirate that the hopes of plunder may lead within its harbor.

EVERY school boy, who has read the constitution, is aware that it is the duty of the General government to provide for the general defence. But the author of *The View* knows, or ought to know, that it had been applied to in vain, alleging as an excuse, a disputed balance of a million of dollars due from this state to the union; and that it was not till after many fruitless attempts had been made to interest the national government in our safety, to awaken its anxiety for our welfare, that our legislature were expressly called for the purpose of taking into consideration the aspect of our foreign affairs, and to adopt means for our security. It was in this critical conjuncture, under the pressure of these peculiar and untoward circumstances, that Mr. Burr's proposition for an appropriation, adequate to the probable exigencies of the public, was made.

THE author of *The View*, if he is sane, will not contend I presume, that if the work of fortifying our harbor was at all undertaken, the sum proposed was too large; particularly as under existing arrangements all sums expended for this purpose, were to extinguish so much of our supposed debt to the union.

THE present fortifications in our harbour and their garrisons, are a mockery of military force, and have justly become a subject of ridicule. The effect they would infallibly produce

in perilous times would be destructive. They would tend to sooth the apprehensions of those unacquainted with the nature of military power, and to paralyze the efforts of the inhabitants of the city. Not till danger and ruin approached their habitations would they be roused to exertion, or abandon a fruitless dependence on a force, barely sufficient to alarm the timidity of infancy or dotage, or to sound the alternate approach of darkness and day-light. For this act of his public life, therefore, Mr. Burr may claim with safety the applause of his fellow-citizens.

IF at the period of which I have been speaking, it was rumoured that Mr. Burr was to receive a military commission from the president of the United States, it did not reach the ears of the writer. And surely such a mark of respect could not have been dishonourable.

THE necessity of an office to superintend the exaction of escheats, has long been admitted, and if instituted at the period proposed by Mr. Burr, would have been extremely salutary in its operations. It would have restrained corporate bodies within the limits of their charters, and that it would have increased materially the revenue of the state, must be manifest to the meanest capacity.

THE opposition made by Mr. Burr, to the celebrated amendment proposed by the state of Massachusetts to the federal constitution, has extorted the reluctant approbation of this modern censor. It is the only solitary act in the annals of this memorable session, that has escaped censure. This temporary candour is dexterously affected, for the purpose of giving additional poignancy to the scurrility and slander that ensue.

IF on this subject the writer should vary in opinion from the author of *The View*, it will not, he trusts, be ascribed to perverseness of temper, or a fixed determination to combat the justness of his sentiments. Disclaiming all personal motives, and all undue attachment to individuals or sects, he will freely bestow applause where applause is due, and disapprobation

where he thinks it is deserved. He will not blindly advocate the political infallibility of any man, however exalted may be his station. Mr. Burr's political life furnishes much to applaud, and something to censure. Upon many occasions he has manifested a zeal and patriotic attachment to the true interests of his country, that merit the liveliest language of panegyric. But not exempt from human infirmity, he has occasionally erred in advocating measures not calculated to advance the prosperity of the nation. Though possessed of a mind singularly perspicacious, let us not so far forget the imperfection of human wisdom, as to suppose that Mr. Burr's discernment could adequately comprehend, upon the pressure of every occasion, the true interests of his country, in all their minute combinations, or anticipate the future effects of operating causes. Unlike those diurnal scribblers who have sinister purposes to accomplish, I think it as fair and charitable to ascribe his support of measures which appear to me impolitic, to the errors of his judgment, as to improper feelings of his heart.

UPON the subject of the Massachusetts amendment, I shall therefore, with great deference to the superior talents and experience of Mr. Burr, question the correctness of his opinions. His conduct upon that occasion proceeded no doubt from the purest motives; from a liberal and benevolent disposition. But the principles he advocated, I hold to be pregnant with serious mischiefs; in their operation they will poison the sources of our happiness, and ere long demolish the proud monuments of our freedom.

THE terms of the proposed amendment are not now before me, nor can I recollect them with accuracy. If viewed, abstracted from national objects, or as directed at an individual, it was certainly unworthy of support. But if considered as involving a great political principle, it merits mature investigation.

I LAY it down as a maxim, that a similarity of opinions upon the principles of government, and a congeniality of po-

litical feelings, are indispensably necessary to insure the peace, harmony, and integrity, of our federal union.

THE variety of notions espoused by those who have either been expelled from European countries, by wanton power, or hastened from their native soils by the terrors of a guilty conscience, and who adventure hither in search of better fortune, must in their unrestrained operations, generate evils, that by slow but sure effects, will work corruption and infuse poisonous tendencies into our moral and political arrangements.

THE principles upon which our civil institutions are founded, are so mild in their nature, the immunities they grant and the privileges they secure, so extensive and diversified, that their value to the native sons of American liberty must diminish, in the proportion that turbulent and interested foreigners are allowed to participate in them.

THESE apprehensions are rational, and amply justified by the systematic plans to acquire an undue influence in our political operations, which those deleterious shoots of European corruption have lately produced, under the very eye of our government, and in the very centre of our country. Encouraged by the countenance of Congress, they are flocking from every quarter of the world, in crowds more dreadful and alarming than the locusts of Egypt; than pestilence or famine. Their hearts warm with the prospect of plunder, they hasten to the arms of their naturalized brethren, who are already preying on the vitals of their adopted country; who, after having been protected by our laws, and partaken in our privileges, are already conceiving, maturing and pursuing designs to establish a permanent foreign influence, distinct from that of our native citizens. It is beyond controversy true, that in this city, and several others in the union, they have formed associations for the express purpose of influencing elections, and favouring the elevation of those individuals who will further their views.

It is also well ascertained that *Corresponding Societies* are in-

stituted, for the express purpose of communicating to the disaffected subjects of European governments, the facilities that here attend their naturalization, and for inviting them to this land of promise. Certain individuals, distinguished abroad, in the annals of fraud and sedition, have been honoured with direct applications. Thus encouraged and elevated by the flattering prospect, painted in lively colours to their view, America becomes the object of their loathsome embraces, their beloved paradise, where they are kindly told that villainy is unrestrained in its pursuits; where skill in *fraud*, constitutes the value of the man, and *robbery* is ranked among the inalienable rights of the *citizen*.

SINCE the ruinous and impolitic act which was passed by our national legislature in 1801, has been in operation, we have been furnished with unusual importations of these fugitive patriots. Our sea ports have been infested with these hardy sons of foreign corruption; some the legitimate property of the gibbet, and others with the crimson stripes of infamy fresh upon their backs, have already, with native ingenuity, invaded *individual property*, and with heroic zeal are grasping at political importance.

“ *Knaves* from all quarters; fools from every sphere,
 Make this the focus and concentrate here.
 Yet, mystic wonder! let them touch our land,
 They turn like puppets in a juggler’s hand.
Allies, and patriots, shouting rend the skies,
 While awe-struck echo half repeats, *allies.*”

THE control of our presses is their favourite object. If they find a distinguished individual hostile to their iniquitous projects, they mark him out for destruction. He is instantly assailed with all the falsehoods and slanders their united ingenuity can devise. A double object is thus accomplished; the power of an enemy is lessened, and their own importance increased by the concentration of public attention. This was the mode by which Burke and Callender sought to acquire fame,

and to influence public sentiment. This too is the mode pursued by Cheetham, Duane, and Pasquin, to accomplish similar purposes, but more extensive, deep, and daring, in their nature.

I ASSERT, without the fear of contradiction, that all the local dissensions of a political nature, with which we have been afflicted, originated exclusively, with men of this description. And unless some efficacious mode is adopted of checking their pernicious career, they will not only impede the operations of the government, but soon involve us in all the horrors of intestine war: unless they are held in proper subordination, by the general detestation of Americans or controled by law; unless they are excluded from places that facilitate their operations, the people of this country must prepare to surrender their rights, and suffer their opinions to be regulated, not by their own good sense, but by a few desperate and licentious foreigners.

It will perhaps be unnecessary to observe, that the remarks in the preceding pages, are not meant to extend indiscriminately to all who are not native citizens. There are, no doubt, many foreigners among us, who having emigrated with just views, and for honest purposes, have become valuable citizens, whose worth I duly appreciate. But in the description which has been given, I mean to include the general mass of Europeans who have arrived since the revolution, and who are daily pouring in upon us for the purpose of pecuniary speculations, or with political views manifestly hostile to the spirit of our government.

I AM aware that the opinions here advanced, are not popular with the party to which I am attached; but it is firmly believed, that an attentive investigation of the subject, would impress the impartial individuals of every party, with the propriety of my sentiments; would terminate in a conviction that the terms of the present naturalization act are highly dangerous, and merit the attention of the government.—Reflecting men will allow that its provisions are calculated to introduce into the bosom of our country, a spirit of licentiousness, at variance with the whole-

some rules of American policy; a profligacy, originating in the worst principles of modern philosophy, and which when uncontrolled, will operate upon the body politic, like poison infused into the human system.

So far, therefore, as Mr. Burr is an advocate for the equal privileges of foreigners, after the short probationary period prescribed by the present act, he receives my unequivocal disapprobation.

ALTHOUGH the conduct of the vice-president relative to the amendment in question, as also upon the Virginia and Kentucky resolutions, was gratifying to the author of *The View*, he has not the candour to acknowledge it. His remarks even here, are mixed with the malignity that betrays his design. The merit of ability is scarcely allowed Mr. Burr. He spoke ably upon one question, says this fastidious gentleman, because he was evidently in the majority. On the other he displayed no eloquence, no zeal, because it was supposed a majority of federalists were opposed to him. So that whether Mr. Burr spoke or not, whether he was eloquent or otherwise, whether inactive or zealous, censure equally awaits him. The matchless penetration of his biographer, discovers a treasonable design in every act, a spectre in every bush. All however was hid from vulgar vision. It was permitted to none, but the sagacious author of *The View*, to penetrate the heart; to analyze the intentions, and elucidate the mysterious conduct of Mr. Burr. Cunning, however, should have taught him to withhold censure, where applause was *manifestly* due. But baseness and iniquity, are doomed by Providence to bear within themselves the means of detection; the unerring finger of justice will point to their secret views, and lead to the punishment of guilt.

THE talents of Mr. Burr are next called in question. From the terror, however, which his enemies exhibit, I am disposed to doubt their sincerity. The hardiest among them tremble, when he is induced to exercise and display them. They view his genius with humility, and shrink from competition. But as

it is foreign to my purpose, and certainly needless, to examine the extent of Mr. Burr's abilities, I must be permitted to confine myself to those occasions upon which his principles and motives have been the subjects of animadversion.

HIS industry in instituting and obtaining a charter for the Manhattan Company, needs no comment. If he derived pecuniary advantages from it, many others certainly did the same. But as usual, wherever any evils arise, either from the nature of the transaction, or from its progressive effects, they are ascribed to Mr. Burr, and none of its advantages must be allowed him. Thus, though the Manhattan Company, upon every rational calculation promised innumerable benefits to the citizens of New-York, some of which have certainly been realized; yet it afforded Mr. Burr pecuniary accommodations, and the *streets of the city have not been purified*. It has therefore been introduced into the "View of his political conduct," as an object of censure. Oh! shame, where is thy blush!

ALTHOUGH the tax law, which it is said originated with the vice-president, has not been found perfectly convenient in its practical provisions, I think it would embarrass the ingenuity of his enemies, to find aught like *treason* in it, or to show that the act for the relief of insolvent debtors had any connexion with *federalism*.

THESE things should have been passed over with the contempt they merit, did I not foresee that the charge of evasion, would hereafter have been urged against me. It, is however, unnecessary to pay them any farther attention, as the most common capacity must discover the malice that gave them birth.

WE have now travelled through the celebrated session of 1798, and slightly touched upon all the points raised by the author of *The View*, to shake the well-earned popularity of Mr. Burr. We shall soon proceed to a more interesting period; here, simply requesting the reader to impress upon his mind, that all the circumstances which have been referred to, the

wavering conduct ascribed to Mr. Burr, and which we have been told rendered him not only suspected by, but obnoxious to his party, are stated to have occurred two years before he was in nomination for the vice-presidency. Mr. Burr's instability of principle, therefore, must have been perfectly known to the author of *The View* in 1798, and in 1800 he not only wished for, but assisted in raising him to the second office in the government.

If Mr. Burr in 1798, had manifested a want of attachment to republican principles, would he in 1800 have been advanced to the elevated station he now holds? Would not his political defection have been circulated throughout the union, and the remotest borders of the country have resounded the anathemas of the friends he had betrayed? Or was there no patriotic voice to proclaim his infamy; to warn the people of their danger, and save them from disgrace? The author of *The View*, that guardian of the public weal, was surely in our land, and from the proofs he has furnished of his industry, it cannot fairly be inferred that he so shamefully slumbered at his post. If Mr. Burr's conduct, at that period, had been such as is now represented, it could not have escaped his attention. No one who has not fallen a victim to insanity, will believe, that if the circumstances now so minutely detailed, had occurred in 1798; they would have been buried in oblivion until 1802. No discerning mind can resist the persuasion, that all the assertions we have noticed, are baseless fabrications, conjured up by malignity and fraud, to deceive the public and answer the purposes of proud and unprincipled ambition.

It is true, as stated, that in 1799, the vice-president was not in the legislature. From the insidious manner in which this circumstance is mentioned, it is evidently intended to raise a presumption in the mind of the reader, that his conduct in the preceding year, had deprived him of the confidence of the people, and was the cause why he was not again returned; while the truth is, Mr. Burr was nominated, and placed at the head of the republican ticket. This clearly evinced that the esteem

in which he had been held by his fellow-citizens, was undiminished, and exhibits another instance of the impudent audacity of this assassin of private worth and public virtue. By an unforeseen concurrence of circumstances, however, the whole republican ticket was lost at this election. This circumstance, and the awful aspect of public affairs, alarmed the energy, and at the ensuing election, called forth the activity and talents of Mr. Burr.

IT has been attempted, and with some ingenuity, to deprive Mr. Burr of the applause he merited upon that occasion, and which was cheerfully yielded by every class of his fellow-citizens who witnessed his exertions. With the insidiousness that marks every page of the production under examination, it has been stated that the vice-president was not in the legislature in 1799; and that the arrangements for the annual elections, are made during the session, at the seat of government. Every man who is not shamefully ignorant of the political operations of the state, will at once perceive this to be an insolent and absurd fabrication, as far as it relates to the election of members of assembly.

IT has indeed been usual before the rising of the legislature, to designate the senatorial candidates, and in the form of a *recommendation*, to impose upon the people of the different districts a nomination, made in effect by the senators themselves. This is a practice as pernicious and dangerous as it is anti-republican. It is a direct violation of the representative principle, and hostile to the fundamental plan of our government. It perverts the true object of elections. The elective franchise is thus rendered an inefficient privilege, a trifle to amuse the prejudices of the people, a speculative bauble, to tickle their fancy and lull their jealousy, while the "substantial good" is monopolized by the very instruments whom they have lifted into power, and who, officiously and arbitrarily dare to designate to their constituents, the characters selected by the senate itself to fill up the vacancies annually occurring in its own body.

WITH great pomp are the people annually told, that the constitution and laws of our country have recognized them, as the source from which all political consequence and power is to emanate. But to what purpose has this right been confirmed to them, if they suffer themselves to be ensnared by the electioneering tricks of a faction, cajoled into the support of measures in direct hostility to their own rights, and influenced to return as members of the legislature, men designated by the legislature itself? It behoves the electors of the senatorial districts, to check this iniquitous procedure, to assert and exercise their exclusive right of nominating, as well as electing senators to represent them.

It will in vain be said, that these informal selections, made at the seat of government, are promulgated only as recommendatory measures, and that the people may reject them if they please. Every one who understands the combinations of political power, the force with which opinions circulate, and the unthinking haste with which the expediency of a measure is acknowledged, when aided by such an influential impulse, will readily perceive the futility of this suggestion. Experience has shown the evil consequences of this legislative interference in proceedings which should originate with the people, and be conducted exclusively by them.

In consequence of these premature and unauthorized arrangements, the senatorial districts of the state frequently have been represented by men who were not only destitute of claims to their confidence, but obnoxious to a majority of the electors. *Ambrose Spencer*, a man as notoriously infamous as treachery and fraud can make him, has twice been thus imposed upon the middle district as its senator, when not a solitary town in any of the counties that compose it, could be found to nominate him.

I SHALL reserve what further I have to say of this man for another part of the work, and return to the consideration of the important election in 1800, in which Mr. Burr bore so conspicuous a part.

WITHOUT the fear of contradiction, I ascribe to Mr. Burr the success of that election. Convinced that a majority of the citizens of New-York were then, as they are now, inspired with correct political opinions, I am far from believing that this auspicious victory was obtained by any sudden or extraordinary conversions. But it was the unequalled activity, the unceasing zeal and laborious industry of Mr. Burr, that roused the latent republicanism of the community. It was his happy arrangements, and a most minute attention to their execution, that brought every republican elector to the polls. His eloquence animated the old, and inflamed the young. His personal remonstrance and example, moved to action each dejected patriot, and gave vigour to every movement.

THE selection of gentlemen to compose the ticket, was also originally made by colonel Burr, and subsequently sanctioned by a general meeting of the citizens. Several of these, influenced by unmanly doubts of success and fear of the animadversions of political opponents, withheld their names to the last moment; a moment on which they knew the fate of the party was suspended.

GOVERNOR Clinton remained unmoved by the most earnest solicitations; and with matchless firmness resisted the arguments of Mr. Burr, who forcibly asserted, that it was a right inherent in the community, to command the services of an individual when the nature of public exigencies seemed to require it. He was inflexible to the last, and then was nominated and elected without a distinct expression of his approbation. Justice, however, induces me to acknowledge that the reasons he assigned for the reluctance with which he acted, were plausible and potent. He explicitly declared, *that he had long entertained an unfavourable opinion of Mr. Jefferson's talents as a statesman and his firmness as a republican. That he conceived him an ACCOMMODATING TRIMMER; who would change with times and bend to circumstances for the purposes of personal promotion. Impressed with these sentiments, he could not, with propriety, he said, acquiesce in the elevation of a man destitute of the*

qualifications essential to the good administration of the government; he added other expressions too vulgar to be here repeated. But, said he, with energy, *if Mr. Burr was the candidate for the presidential chair, I would act with pleasure and with vigour.* To remove every doubt from the reader's mind, I refer him to Mr. David Gelston, Mr. John Mills, Mr. J. Swartwout, or Mr. M. L. Davis, in whose presence these sentiments, and many others *more disrespectful*, if possible, were uttered. It was at the house of Mr. Burr, who, anticipating the evil consequences that at that critical moment would result from such conduct in Governor Clinton, insisted before he left the house, that he should promise his friends to desist from using such language, previous to or during the election. This was very reluctantly complied with on the part of Mr. Clinton.

NOTWITHSTANDING this, they were continually reiterated by his son, who publicly and loudly animadverted upon the character of Mr. Jefferson, with the most vulgar severity. Similar sentiments were certainly entertained by all Governor Clinton's connexions, as their conduct during the election clearly evinced. Mr. De Witt Clinton through the whole contest never appeared at the poll, but observed the most shameful indifference and inactivity.

AN unrestrained, but decent expression of individual opinion, is a right I have always cherished, and loved to exercise. The language of Mr. Clinton, therefore, upon this occasion, I cannot censure. But as the general principles of his party were peculiarly involved in that controversy, his conduct was at this particular time impolitic, unjustifiable, and weak.

WHAT has been advanced relative to the election of 1800, as to the conduct of Mr. Burr, and that of Mr. Clinton, is minutely correct. I cheerfully invite investigation.

IN the answer to the above, Messieurs De Witt Clinton and Cheetham, in their voluminous pamphlet, published since the

first edition of Aristides, present us with the following defence :

“ I HAVE now,” say they, “ arrived at the fourth accusation of Aristides.

“ AT the eve of our city election in the year 1800, our friends were anxious to place the name of Governor Clinton on the Republican Ticket. With a view to obtain his assent to be nominated, a private meeting of four or five persons was held at Mr. Burr’s. The indisposition of Governor Clinton to re-embark in public life, was well known, and it was therefore deemed good policy to invite him to this private meeting, where it was hoped he could be induced to consent to be nominated. Here Governor Clinton, it is said, expressed the succeeding words, which make up the fourth accusation of Aristides against him.

“ RESTING the importunity of the persons assembled, Gov. Clinton is represented to have said : ‘ That he had long entertained an unfavourable opinion of Mr. Jefferson’s talents as a Statesman, and his firmness as a republican ; that he conceived him an *accommodating TRIMMER, who would change with times, and bend to circumstances*, for the purpose of personal promotion. Impressed with these sentiments, he could not acquiesce in the election of a man *destitute of the qualifications essential to the good administration of the government*. But, said he, with energy, ‘ *if Mr. Burr was the candidate for the Presidential Chair, I would act with pleasure and with vigour.*” Mr. Gelston, Mr. Mills, Mr. Swartwout, and Mr. M. L. Davis, are referred to as persons in whose presence Governor Clinton is said to have delivered these sentiments.

“ THE view with which Aristides has introduced into his work these imputed words, cannot be mistaken ; it is to justify the *conduct* of Mr. Burr, by the alleged *expressions* of Governor Clinton.

“ THE annals of civil society do not furnish an instance of greater indecency, of an infraction of the acknowledged maxims of confidence more outrageous, than the one here committed by Aristides with an intent to disparage the character of Mr. Jefferson, and injure the feelings of Governor Clinton. It was not to have been presumed that Mr. Burr and his partizans would have permitted their

malice, disappointment, and revenge, to have carried them so far as to have divulged a communication of sentiments obviously *confidential*; for such was the *mole*, whatever was the conversation which occurred at Mr. Burr's at the time alluded to. I repeat that it was clearly *confidential*. The meeting was held in Mr. Burr's parlour. The conversation was therefore confided to *his honour*. It consisted of *six select friends*, by whom Governor Clinton was specially called upon to assign his reasons for declining to be nominated for the Assembly. He was insidiously drawn into the company by a particular friend of Mr. Burr, and by both assiduous impertinence was used to extort from him expressions of no common import; for nothing less would satisfy the impatience and solicitude of these unblushing *betrayers of confidence*. Such then being the nature of the conversation, what opinion are we to form of Mr. Burr and his friends, who, without cause, without provocation, have broken down the mounds of *confidence*, and insolently trampled upon those necessary and delicate rules which bind honourable men together?

“THESE remarks on the *confidential* communication which took place in Mr Burr's parlour, are not offered as an apology for the actual expressions used by Governor Clinton; they are merely intended to show that Mr. Burr and Aristides have rended all the ties of *honour*. Let me ask what would be the consequence, what would become of the little reputation Mr. Burr has left, if his opponents, disregarding confidential restraints, were to follow the example? What a scene of intrigue could I unfold were I to avail myself of the precedent!

“For the truth of the conversation related by Aristides, he refers us to Mr. Mills, Mr. Gelston, Mr. Swartwout and Mr. Davis. It was unnecessary to refer us to the two latter, who were present when the conversation is said to have taken place, for the veracity of those who *violate confidence* is not to be relied on. They are to be considered in the light of states' evidence, whose testimony brings home to themselves *dishonour*. Lord Howard's evidence against Algernon Sidney has damned him to immortal infamy.

“The other gentlemen justly view the conversation as *confidential*, and though it has been violated by Mr. Burr, Aristides, Swartwout and Davis, they do not think the example worthy of imitation. To ascertain therefore the precise expressions used on the occasion by

Governor Clinton, we must resort to sources other than those mentioned by Aristides.

“ The circumstances attending the meeting, and the words really expressed in it by Governor Clinton, are these.

“ A short time before the election of 1800, the lady of Governor Clinton died. A few days after her death, he was solicited to consent to be nominated for the assembly. Owing to the distresses of his children, occasioned by the loss of their parent, as well as his own ill health, he wished to decline. The evening on which the election committee were to make their final arrangements as to nominations, he was waited upon by (I believe) Mr. John Swartwout, and asked to go with him to Mr. Burr's, where a few friends were met on business of the election. Governor Clinton accompanied him and found there, amongst others, the persons named by Aristides. He soon perceived that the object of this confidential meeting was to prevail on him to consent to be nominated for the Assembly. He objected to the proposed nomination of himself for the reasons above stated, adding that he should consider it cruel to his children to separate himself from them at the moment when they stood so much in need of parental consolation. To enter into public life under his present afflictions would do violence to his feelings. They were extremely importunate, declaring that the success of the election would depend on his name being on the ticket, and on this would also depend the Presidential election. The Governor declared that as it was *principle* and not *men* for which we were contending, he had too good an opinion of his fellow citizens to believe that so much importance could be attached to his refusal. And by way of excusing himself he remarked that at the last Presidential election, when Mr. Jefferson was a candidate, he had used every exertion in his favour....that his opposition to Mr. Adams was not *personal*; it was founded on his *political principles* and the *tenour* of his *administration*....but that after Mr. Jefferson was elected Vice-President, to his great surprise, he found him, in his inaugural address, *pronouncing eulogiums on the virtue and patriotism of Mr. Adams*, which he considered as high censure on the conduct of those who had opposed his re-election. Although he disapproved of the conduct of Mr. Jefferson *in this particular*, deeming it, at the same time, temporizing, yet he was anxious to do every thing in his power to promote his election. But he insisted that the measure which the meeting proposed would injure instead of serving it. If he consented to be a

candidate for the Legislature who were to choose the electors, it would prevent his taking an active part; if he did not consent, he could with propriety, and would use every exertion in his power to promote the success of Mr. Jefferson's election.

“SUCH was the language of Governor Clinton; language which, at the period alluded to, thousands of Mr. Jefferson's best friends expressed in regard to his inappropriate eulogium on Mr. Adams. I have often heard it censured, have censured it myself, and do so at this moment. It was emphatically, as Governor Clinton observed, a high censure on the conduct of those who had opposed the election of Mr. Adams.

“FROM that language, Aristides has fabricated the story already quoted. Governor Clinton said nothing of *Mr. Jefferson's talents as a Statesman*. Of these, I have every reason to believe he has the most exalted opinion. Mr. Jefferson has not in the Union a sincerer friend; a more ardent admirer of his administration. Nor did he question his *firmness as a Republican*. Of this, Governor Clinton is sensible Mr. Jefferson has furnished the most satisfactory and incontestible proof. Nor is it *true* that Governor Clinton remarked, as asserted by Aristides, that *if Mr. Burr was the candidate for the Presidential Chair, he would act with pleasure and with vigour*. He had no idea at the time that Mr. Burr aspired to the Presidency; and then, as now, he would be the last to wish him at the head of the Government.

“FOR the correctness of this statement of Governor Clinton's remarks, I appeal to a *credible* witness.

“IN Commodore Nicholson's interview with him already noticed, he pressed him with great earnestness to consent to be nominated for the Vice-Presidency, and observed, that his refusal might affect the *election of Mr. Jefferson as President*. Governor Clinton was much affected with the observation, and declared, explicitly, that *no consideration short of assuring the election of Mr. Jefferson, as President, could induce him to give his qualified consent to be nominated as Vice-President*, which he accordingly gave. To any one who will apply, Commodore Nicholson, *the best evidence* in the case, will undoubtedly declare this fact, which is alone sufficient to destroy a thousand such slanders as that conjured up by Aristides.”

I HAVE here given every word that has been published to convict me of a falsehood in my statement of this conversation. I am well satisfied that almost every reader will at once perceive in it a complete confirmation of the precise truth as I stated it. I therefore shall dismiss this silly attempt in a very few words.

THE writer, it is observed, takes up a good deal of room in bestowing reproaches against a *violated confidence*; Mr. Swartwout and Mr. Davis are expressly charged with being the "*unblushing betrayers of confidence.*" It does not seem once to have occurred to his stupidity, that this is a confession of the truth of what he is attempting to deny. There certainly could not have been any breach of confidence in relation to a confidential conversation which never took place. If they reported as a truth what never happened, they were guilty of a falsehood, but surely there could not have been a *breach of confidence*. Nor am I able to see how Mr. Mills and Mr. Gelston, two friends of Mr. Clinton, would now be guilty of imitating Mr. Swartwout and Mr. Davis, and of *violating confidence*, by *contradicting* what those gentlemen may have related. This, therefore, is but a poor shift to evade the appeal made to those persons.

HAVING thus got rid of all the witnesses to the conversation, as if he was determined to see how far impudence and absurdity could carry him, he says, that in order to ascertain what were the expressions used by Governor Clinton at that meeting, the "*best evidence*" of what passed among the six gentlemen who were present, is commodore Nicholson, who was not present; and to complete the whole, the commodore is not even pretended to have ever opened his lips on this subject; but he will *undoubtedly* declare, says this logician, that Governor Clinton told him, commodore Nicholson, some time in the year 1800, that "no consideration short of insuring the election of Mr. Jefferson as president, could induce him to give his qualified consent to be nominated as vice-president." This may be evidence that Governor Clinton is not above a little duplicity; that at differ-

ent times he made use of different language : that when he expected to be vice-president, he was all complaisance to Mr. Jefferson, and when his expectations were at an end he was less respectful ; but how it becomes better evidence of what passed at Col. Burr's than any thing those present can say, I have not yet been able to discover. As it is now settled that Governor Clinton is to be the next candidate for the vice presidency, I conclude his anxiety for Mr. Jefferson's success as president, has by this time fully returned upon him, and that therefore other evidence of what passed at Col. Burr's in 1800, may be produced to corroborate the evidence of the Commodore's. Consequently I do not think it prudent to pursue this subject any further. If the reader thinks I stand convicted of a falsehood, he had better lay the book aside. I proceed once more to my original work.

THE successful result of the election in the city of New-York, decided the political character of the state ; and by direct consequence gave a republican administration to the government of the union. When the vast accession of strength to the republican cause, derived from the event of our state election, is justly estimated, I believe the accuracy of this assertion will not be questioned. The exertions and services of Mr. Burr, therefore, when considered in all their important effects, cannot be sufficiently appreciated. They deserve the applause and gratitude of every patriot, and the general admiration of the country.

THAT the author of *The View*, should declare, that Mr. Burr had " no claim to a share of the merit of the general success," is not singular. That writer has long ago forfeited all claims to integrity and truth. His general indiscriminating invectives, defeat the effects of his malignity. But that any man, who has some reputation to save, and a character to sustain, should repeat the calumny, is indeed marvellous.

MR. OSGOOD, that learned and pious expounder of the prophecies, has been heard to declare with the solemnity of a Turk, that Mr. Burr's exertions, at the election in 1800, " were

unessential, and gave not a vote to the republican candidates." When a man is the innocent instrument of promulgating a falsehood, he deserves compassion; but when he is actuated by malice, and propagates it for the purposes of slander and imposition, he merits chastisement. Where was this gentleman's conscience, when he uttered this assertion? Had it flown to Washington in search of an office? Or did his envy and malice set all moral obligations at defiance? "Tell the truth, and lie not," is an injunction, which it was to be hoped, he had met with, in his religious researches, and would have restrained the effervescence of his native propensity; would have checked his invidious insinuations, and his *sly departures* from rectitude of *thought*. But some men are born hypocrites. Neither the pure and energetic eloquence of the gospel, nor the dread of universal detestation, can force them out of the crooked path of mischief and deceit.*

HOWEVER tenacious a gentleman may be of his reputation, it can derive no injury from treating with due respect, the honest and upright men of every denomination. Such conduct is laudable and proper. It manifests an enlarged mind, a generous disposition, and an estimable liberality of thought. But that a *professed* lover of religion, should *breakfast, dine, and sup* with James Cheetham, an open blasphemer of his God, a reviler of his Saviour, and a conspirator against the religious establishments of his country, is a proof of hypocrisy, that should banish him from all religious society. That a man who proclaims his attachment to the doctrines of christianity, should the moment he has closed the sacred volume of truth, assist in framing and disseminating the most envenomed scurrility, is

* This man, with whom the Clinton family are connected by marriage, and who now wishes to derogate from the merit of Mr. Burr upon the occasion alluded to, although he had been reluctantly nominated as a candidate, used every effort to frustrate the election of the republican ticket. He declared publicly that exertions were useless; that there was no prospect of success; and that to contend with the federalists, was a wild project of Mr. Burr, that would terminate in defeat. This is one of the men, who now refuses Mr. Burr any credit upon that occasion, and who are endeavouring to deprive him of the honours that should have resulted from his labours.

ample testimony of the shameless insincerity of his professions, and at variance with every known principle of moral justice : It is, however, for Mr. Osgood to reconcile this conduct to his conscience. If after he has read these observations he remains callous to remorse, I shall attempt more potent applications, and I cannot but hope, that by perseverance I shall convert him.

I HAVE noticed this assertion of Mr. Osgood, for the satisfaction of those only, who did not witness the proceedings at our election in 1800. Those who did, know its falsehood.

THE writer of the Reply, remarking on this passage, says—
 “ Mr. Osgood may have declared, and if I am not mistaken, I have heard him *justly* declare, that those who support Mr. Burr in his perfidy, ascribed to his exertions a success as *false* as it was *degrading*.” It is with reluctance I detain the reader with any thing relating to such a wretch as this ; but it may not be amiss to show those who believe he may sometimes speak truth, that they should be very sparing in admitting this, if they would not willingly be laughed at by himself for their credulity. Take the following account of Mr. Burr’s exertions at this election, from Cheetham’s own paper of October 7th, 1802. Addressing himself to the vice-president, he says : “ In 1800, you was all activity, all zeal, all vehemence. Every ligament of your frame was brought into action. You devoted night and day to promote the success of the republican ticket.” “ You had made nice calculations on the subject, and very clearly foresaw the necessity of Herculean exertions. Accordingly, you were the very essence of animation. You were first at the meetings, first at the polls.” After this extract I shall leave Cheetham and Osgood to settle it between themselves the first time they meet at Cheetham’s house over a pot of beer, which is the liar, or whether the honour is to be equally divided between them.

THIS year Mr. Burr was elected a member of the legislature, by the patriotic county of Orange : a county celebrated for its attachment to the sound principles of the revolution, which it has ever supported with firmness and alacrity.

I SHOULD deprive my readers in the county of Orange of a pleasure, if I did not here furnish them with the very ingenious turn that has been given to this circumstance.

“ AT the election of 1800,” says the Reply, “ it was deemed important to nominate gentlemen of the first respectability for wealth, patriotism, integrity and morals. Governor Clinton, Judge Livingston, General Gates, Mr. Osgood, Col. Rutgers, Mr. John Brome, and others of respectability, were therefore nominated. It was a trial of the relative strength and respectability of the two parties ; and as the ticket of our opponents was composed of gentlemen of distinguished character, to meet them with one equal, if not superior, in any point of view, was considered as essential to success. Hence, Mr. Burr was not nominated to represent the city in which he was known and resided. His name was transferred to the county of Orange, WHERE HIS CHARACTER WAS BUT LITTLE UNDERSTOOD.”

I SHALL indulge but one observation. If this account of the motives which induced the Clintonians in this city, to procure Mr. Burr’s name to be placed on the Orange county ticket be false, as it undoubtedly is, it is only another specimen of the spirit which has ever actuated the enemies of the vice-president in their attacks upon him : allowing it to be true, it is so totally at variance with fair dealing as ought to kindle the resentment of the republicans of that insulted county ; but whether true or false, the open and unblushing avowal of it in the face of the world, betrays such an unprincipled disregard of moral rectitude, such an absence of sentiment, such an insolent contempt for the understandings of the citizens in that large and respectable portion of the state, as must excite their universal indignation.

IN the month of May, 1800, which was soon after the success of our state elections was known, the nominations for the presidency and vice-presidency were made at Philadelphia, then the seat of government. Here it was unanimously agreed upon by the republican members of Congress, that Mr. Burr should be supported as the vice-president ; nor were there any inter-

fering claims that could stand in his way for a moment. But as the writer of the Reply, with a view to sooth the pride of the Clinton family, and at the same time to wound the feelings of Mr. Burr, has endeavoured to show that Governor Clinton was the person first thought of as vice-president, and that had he wished for that distinction he might have been gratified, I shall once more allow him the opportunity of being heard at full length.

“ THE facts respecting the nomination of the vice-president, are as follow.

“ IN the year 1800, Congress met in the city of Philadelphia. Previous to their adjournment, the republican members of the two houses held a meeting for the purpose of nominating a president and vice-president. *At this meeting* Mr. Jefferson was unanimously agreed upon for the presidency. It was also agreed that the vice-president should be taken from the state of New-York, and Governor Clinton, in the opinion of the meeting, was the most eligible character. Mr. Burr was spoken of as vice-president, but *only* in case Governor Clinton should decline the nomination.

“ HAVING agreed to nominate Governor Clinton as vice-president, Mr. Gallatin was requested to communicate to commodore Nicholson, of this city, the sense of the meeting, and to beg him to wait upon the Governor to obtain his assent. Accordingly Mr. Nicholson called on Governor Clinton and showed him Mr. Gallatin's letter. A long conversation took place between them, which, on the part of the Governor, was to the following effect.

“ HE mentioned that he had already devoted a great part of his life to the public; the recent death of his wife, and the attention due to his children, had rendered him particularly averse from again embarking in public life; that nothing but the peculiar and unhappy condition of our public affairs, and the pressing importunity of his friends, had induced him to consent to serve in the State Legislature; that having a voice in that capacity for the choice of the Presidential Electors, and consented to serve in it from the most disinterested views, it might appear as if he had been governed by selfish policy if he consented to be nominated vice-president; that there could be no difficulty in selecting a proper character, and that

Colonel Burr whose name was mentioned in Mr. Gallatin's letter, Chancellor Livingston, or Mr. John Langdon, would answer as well if not better than himself. Commodore Nicholson pressed the Governor with great earnestness on the subject, and mentioned emphatically that his refusal might affect the election of Mr. Jefferson. Governor Clinton was much affected with the remark, and answered, that he could not believe that it would be the case; that, however, the love of his country was uppermost in his heart, and if it was conceived that serious injury would result to the republican cause, from his declining to serve, he would consent as far as that his name might be used on the ticket without any contradiction on his part; but that it should be understood, that if this step should really be deemed expedient, if elected, he should be at liberty to resign without giving umbrage to his friends. Upon this commodore Nicholson determined to draft a letter to that effect, and show it to the Governor previous to its transmission to Philadelphia, in order that he might be satisfied that he had correctly communicated his ideas on the subject.

“ ACCORDINGLY Mr. Nicholson went again to Governor Clinton's house the same day, and showed him a correspondent draft, which he approved of and returned.

“ So far it appears that Gov. Clinton was nominated by the republican members of Congress, and that agreeably to their pressing solicitations he consented, *under the conditions mentioned*, to the nomination. This consent was expressed in the letter written by Mr. Nicholson, which was to be immediately sealed and forwarded by him to Mr. Gallatin, in order that he might lay it before the Republican members of Congress before they separated and returned to their respective homes. We shall now see the *low and dishonourable* tricks by which Mr. Burr procured his own nomination; tricks which are exactly of a-piece with his mean and ambitious intrigues from that time to this.

“ After leaving Governor Clinton, Mr. Nicholson called at Mr. Burr's house, and finding him alone, showed him the letter of Mr. Gallatin, and the answer which Governor Clinton and himself had agreed should be immediately forwarded to Philadelphia. On the letter and the answer Mr. Nicholson asked the opinion of Mr. Burr. He appeared agitated; declared that he would have nothing to do

with the business ; that the *Southern States* had not *treated him well* on a similar occasion before ; that he thought their *promise could not be relied on*, and that he would not *give up the certainty* of being elected *Governor* to the *uncertainty* of being chosen *Vice-President*. He then immediately left the room, and two republican gentlemen, in whom Mr. Nicholson had confidence, came in. Mr. Nicholson mentioned to them his business, showed them the letter he had received from Mr. Gallatin, and the one he himself had written in answer to it, expressing, in Governor Clinton's own language, his consent to be nominated. One of them declared with a determined voice that Mr. Burr should *accept*, and that he was obliged to do so on principles which he himself had urged at the late election for members of Assembly, viz. that all personal considerations should be given up for the good of the public ! Upon this they left the room and shortly after returned in company with Mr. Burr. A general conversation now took place on the subject, and Colonel Burr, with *seeming reluctance*, consented to be nominated ! Being well persuaded of the disinclination of Governor Clinton to accept of the Vice-Presidency, Mr. Nicholson then altered the letter (which he had agreed to send to Mr. Gallatin) into an *unqualified declension* on his part, and inserted Colonel Burr's assent ; which letter, so altered, being approved of by Colonel Burr, was forwarded to Philadelphia by the Mail !! A short time *afterwards* Mr. Nicholson communicated this *curious proceeding* to Governor Clinton, who, so far from exhibiting any displeasure on the occasion, appeared happy in having got rid of further concern in the affair."

FOR the purpose of placing this "curious proceeding" beyond question, the writer subjoins the following note :

"THE above statement will, no doubt, surprise many of my readers and may even occasion a blush in the face of Aristides. Lest, therefore, the *truth* of a *single word* of it should be doubted, I deem it proper to say that I have copied it *literally* from TESTIMONY NOW IN MY POSSESSION OF THE HIGHEST POSSIBLE NATURE. The document to which I allude, may be perused at my office by Aristides, by Mr. Burr, by his deluded adherents, or by any other person who entertains doubts of the *truth* of my statement. After this declaration, I hope there will be no quibbling on the subject."

IT is not I presume to occasion any surprise when the reader is told that every material fact in this narration is absolutely false,

and that the circumstantial account of what is related to have passed at Mr. Burr's, is no more than a trick resorted to for the purpose of giving a semblance of truth to the more important part of the story. But perhaps it may create surprise, at least in some, not so well acquainted with the writer of the Reply, to be here informed that the very testimony spoken of as being in his possession, from which he says in his note, the statement was copied, and of which, for the purpose of imposing on careless readers, he has the unparalleled assurance to invite inspection, this very testimony comes entirely short of supporting him. This was charged upon him at the time of his publication, in one of the daily papers of this city, and was never denied nor in any manner explained. But this is not all; permit me now to convict him of a *lie* under his own hand.

THE reader will bear in mind that it is stated in the above extract from the Reply, that previous to the adjournment of Congress in 1800, the republican members agreed that the vice-president should be taken from the state of New-York, that Governor Clinton in the opinion of the meeting, was the most eligible character, and that Mr. Burr was *only* spoken of in case Governor Clinton should decline the nomination; that Mr. Gallatin was appointed to communicate to commodore Nicholson the sense of the meeting; that he did so; that the commodore waited on the governor, procured his consent, and wrote an answer accordingly, but the same day altered his mind and altered his letter, and made Mr. Burr vice-president of the United States, without saying any thing to Governor Clinton about so trifling an affair till some time afterwards, when Governor Clinton was very well pleased with what he had done. Such was the ludicrous manner in which, if credit is due to the author of the Reply, our last republican vice-president was selected. Now for the other account of this business from the pen of this identical writer. In the 40th page of the celebrated "View," of which I have so often had occasion to speak, the same business is thus related:

" THIS was the beginning of May, (1800) when Congress

were on the eve of adjournment. It was then deemed proper to make a choice of candidates previous to the returning of the representatives to their respective districts. It was known that the candidates would be fixed upon at the seat of government by the members of Congress. There was no time for a choice in any other way. Mr. Burr accordingly repaired to Philadelphia, where a meeting of the members of both houses was called. *At this meeting*, Mr. Burr attended, and, after "some affected squeamishness, consented to serve as vice-president."

"WITHOUT censuring the members of Congress, who made choice of Mr. Burr, and who were obliged by circumstances to nominate a vice-president rather precipitately, it is proper to remark, that he was too little known in the different states to render his nomination either judicious or acceptable. There was undoubtedly much intrigue on the part of Mr. Burr and his personal friends, to get him nominated. Had the republican party in the state of New-York, who best knew him, been consulted, he would not, with their consent, have been nominated."

NEVER was it more necessary for any one to bear in mind the proverb that "liars should have good memories," than for the poor devil who has sold himself soul and body to propagate the diabolical slanders of the Clinton faction. He is so perpetually crossing his own track, that if those who sometimes undertake to detect him in his falsehoods, would only think to compare him at one time with himself at another, it would save them all the labour of confuting him by facts or arguments of their own seeking.

In the instance before us it would be an imputation on the understanding of my readers to suppose it necessary for me to point out the staring contradictions in these two accounts of one transaction. It may, however, be observed, that as they are at direct opposition with one another, it would be hardly fair to insist on our receiving both as correct; but admitting either

to be so, what are the conclusions we are warranted in making? If Mr. Burr, as stated in the "View," was agreed upon, and gave his consent to serve, it is not to be conceived that he was guilty of meanness in afterwards procuring his consent to be solicited, that it might be given to commodore Nicholson in his own chamber, to the exclusion of Governor Clinton. And if Governor Clinton declared to commodore Nicholson that he was pleased with what he had done, and the commodore himself was pleased, where is the room for saying that "had the republican party in the state of New-York, who best knew him, been consulted, he would not with their consent have been nominated?" Lastly, that Mr. Burr was nominated because his character was little known, is a novel reason, to be sure, for elevating a man to the second office in the government. It is a direct insult upon those who made the selection. Equally preposterous is it to suppose, that a gentleman who was twice in succession, nominated for the vice-presidency, and who had been six years in the senate of the union, should be scarcely known beyond the limits of his native state.

SUCH pitiful attempts to detract from the celebrity and merit of the vice-president, will be easily perceived by intelligent men in distant states. To them their malignity must be manifest. For them, however, they were not intended by their author. They were calculated for domestic purposes. To impose upon the inhabitants of our own state; those particularly, who from their local situation cannot be minutely acquainted with the political operations of the general government, nor discern with accuracy the motives that influence great political arrangements. I am persuaded, however, their good sense will detect these sinister views, and reject with disdain the impressions these attempts were intended to produce.

THOSE who have visited the remote parts of the United States can testify, that there was no private gentleman in the union, who was more universally known, whose political character was better understood, and whose services in the cause of the republican party, were more readily acknowledged and more

highly estimated, than those of Mr. Burr. It was a knowledge of those services, of his exalted talents, and of his attachment to correct principles of government, that produced his nomination to the vice-presidency; that gave him an equality of votes with Mr. Jefferson, and placed him in the second office in the government. If he was unknown, it was only to that band of base and hired calumniators, with whom he refused to hold communion; whom he has ever considered as pests to society; whose destructive and disorganizing projects he has uniformly opposed; whose hatred he has incurred; whose malice and resentment he has thus drawn down upon him. Before this examination is closed, these remarks will be elucidated, and, I trust, to the satisfaction of the public.

WHETHER *deafness* was among the influential objections to Chancellor Livingston's nomination, I do not know. But that there prevailed an uncommon want of confidence in his political stability, is certain. He was supposed, and justly, destitute of that solid and useful knowledge so essential to the character of a statesman. Instead of a man possessed of an energetic, vigorous mind, capable of steady application, and forcible inquiry, he was deemed a capricious, visionary theorist, eternally wandering in fancy's fairy fields. Heedless of important and laborious pursuits, at which his frivolous mind revolted, he was known to be lamentably deficient in the practical knowledge of a politician. Although it was understood by his friends that these sentiments were generally entertained, so great was their solicitude upon the occasion, that with the consent of Mr. Burr, Mr. Livingston was first proposed to the meeting at Philadelphia; but he was rejected by a large majority.

By whom it was understood that Governor Clinton "had declined to serve as vice-president," I know not. He may, to be sure, squeamishly, though justly have remarked, that he was "too old, and that it was an honour to which he was not entitled." But this I do know—that he *sighed for that nomination*, and that his connexions were indefatigable to obtain it for him, until they found that the republicans in this state, as well as

abroad, had conclusively determined in favour of Mr. Burr. They had deliberately examined the talents and pretensions of the two gentlemen, and, as Mr. Brockholst Livingston truly observed, "after taking all things into consideration, it was deemed most expedient to recommend the nomination of Mr. Burr."

RESPECT for the feelings of an old man, required that those proceedings should be conducted with delicacy. The connexions of governor Clinton, with cheerfulness therefore, were allowed to declare that he had "declined the nomination;" but the feelings which this disappointment inspired could not be concealed. About this period I heard the late Mr. Eacker declare, with much asperity, (rather incautiously to be sure) that Mr. Clinton had been treated with great injustice; that he wished to have been nominated for the vice-presidency, and ought to have been gratified. This gentleman was an intimate and devoted friend to the governor. Independent, therefore, of the knowledge of those who were consulted upon that occasion, and of all positive proof, this collateral circumstance alone, is amply sufficient to establish the fact in question. It exhibits most decisively the wounded and restless jealousy of Mr. Clinton's advocates; and it accounts satisfactorily for the abuse they have since so liberally bestowed upon Mr. Burr. This disappointment confirmed their long cherished enmity. It exasperated their envy. It wounded their malice: and on the altar of ambition they swore revenge. They have ever since prosecuted their nefarious purposes with a zeal unequalled in the black annals of ambition. No means, however dishonourable or dark have been left unessayed, to ruin the reputation of Mr. Burr, thus to gratify their humbled pride, to allay their thirst for power, and to sooth the irritable vanity of dotage.

IN the month of October in this year (1800) the legislature met at Albany, for the purpose of choosing the electors for president and vice-president of the United States. That object was accomplished. The federalists having lost their majority in the legislature, twelve republicans were elected.

As the legislature had been convened expressly for this purpose, no other business of importance was transacted, except choosing a new council of appointment. Although some doubts were entertained as to the constitutionality of making the choice *at that time*, Mr. Burr and a majority of the legislature were in favour of the measure. A council was accordingly elected. Mr. De Witt Clinton was taken from the southern, and Ambrose Spencer from the middle district. These gentlemen, aware of the importance of this appointment, from the moment the government was to pass from the hands of the federalists into those of the republicans, had spared no pains to secure their own election. From the important powers vested in the council, they fondly hoped to derive an extensive influence. Elevated with the intoxicating prospects of soon emerging from obscurity, and becoming the instruments to dispense public favours, they in a most humiliating manner, solicited every conspicuous member of the legislature for his vote and influence. Mr. Burr was not left unharassed for a moment, until, fatigued with importunities, he incautiously assented to the measure. Although convinced that they were inimical to his approaching elevation, and jealous of his political importance, yet he had no conception of the mischief they meditated. It was impossible to anticipate the extent of their iniquitous designs. No reasonable man could suppose, that this casual consequence would at once be converted into an engine to accomplish the purposes of private ambition; that the interests of the state would be heedlessly abandoned, the oaths of office disregarded, and all public considerations trampled under foot, or swallowed up in the destructive vortex of perfidy itself. Those who knew the characters of these men, opposed their election. They knew them destitute of honour, probity, or talents, and of all attachment to the general welfare, abstracted from private interest. They knew that no obligations, however sacred, could restrain them from violating, without remorse, those precepts of justice which even savages respect.

PARTY spirit too, at this period, was still at its height. The times, it was thought, required the employment of agents who

would march with hardihood over all the barriers that moral duty, private honour, or political rectitude might oppose to the accomplishment of given purposes. For operations of this kind, Mr. De Witt Clinton and Ambrose Spencer were peculiarly adapted. Since the author of *The View*, &c. has studiously avoided, and for the best of reasons, all animadversions, upon their official proceedings, a hasty glance at their conduct may not be unwelcome to the reader.

As Mr. Clinton is believed to have been most instrumental in directing the proceedings of the council of appointment, if I devote a few moments attention to him, it must not be considered as a mark of respect. It is his station, and not his merit, that justifies this attention.

THERE is a species of character destined for obscurity, but which is sometimes rendered conspicuous by fortuitous circumstances ; which, though it cannot command respect by bold and decisive iniquity, bids defiance to contempt. Such is Mr. Clinton's ; and since he has for some time apparently possessed a share of popular favour, and progressed with some rapidity in the road to political eminence, it may be useful and interesting to review his public conduct ; the mode in which he obtained the confidence of the people, and the fidelity with which he has discharged the important trusts reposed in him. As he has avowed himself the leader of a faction, which, with wild and savage impetuosity, is assailing at once the peace of the union and the established system of our civil policy ; which is rapidly advancing in its revolutionary labours, and with irreligious zeal disseminating the principles of infidelity, and propagating new political dogmas, tending to the destruction of morality and the dissolution of the federal compact, I shall be justified, I hope, in bestowing upon his character, a few moments of dispassionate consideration. To trace Mr. Clinton through all the scenes of baseness in which he has been engaged, would be a task too laborious for ordinary industry and patience to accomplish. With talents certainly not above mediocrity, he has contrived to destroy the peace of the country, and under pre-

tences notoriously false, to alarm the earnest apprehensions of quiet citizens. Were it not disgraceful to political controversy to drag forth the defects of private character, I would develop the dark and gloomy disorders of his malignant bosom, and trace each convulsive vibration of his wicked heart.

THE man who is the acknowledged leader of a band of hired calumniators, is responsible for their guilt. Their conduct, and its consequences, must be ascribed to him; and whatever evils may be produced, he must justify them, or sink under the weight of public indignation. The result, therefore, of the attack on the vice-president, will determine Mr. Clinton's fate. He will either be exalted as an instance of successful iniquity, or be re-consigned to insignificance and contempt.

FROM the period that elapsed between the conception of the plan and the commencement of hostilities, from the preparatory arrangements that were made, and the secret associations that were formed, whether at New-York or elsewhere, it was easily foreseen that the authors of the calumnies against Mr. Burr, would, if possible, conceal their names, that in the event of success, the honour might be safely claimed, or of defeat, that popular odium might be eluded. This determination was certainly dictated by discretion. But in the moment of "intemperance," warm in the pursuit of victory, and sanguine in his hopes, ignorant of the firmness of his adversaries, of the justice and intelligence of the people, Mr. Clinton has proclaimed himself the hero here; yet with confidence I assert, that he will ere long be compelled to abandon the contest, and rely for safety on the "humanity" of the country, or seek in obscurity, refuge from disgrace.

THOUGH his usual ingenuity may have suggested the expedient of having some abandoned relative or worthless infidel, ready to assume the responsibility of every libel he should produce, I ever have, and hereafter shall consider Mr. Clinton as the *real* author of the publications, entitled, *A Narrative*, &c. *A View of the Political Conduct of Aaron Burr*, and *A Reply to*

Aristides. In doing this, I am warranted by high and direct authority, corroborated by the internal evidence the works afford, by the language he has uttered, and the conduct he has invariably pursued.

IN free governments it is a wise and salutary maxim, that men in exalted stations, should be viewed with jealousy; that their public conduct and opinions should be examined with freedom: But the exercise of this right should be governed by public principles. The welfare of the state should never be hazarded by prostituting it to the vile purposes of personal envy. The great interests of the nation, should not be blended with the meaner objects of private resentment. The real friend of his country, will suffer no such unworthy considerations to influence his conduct. When the government which he loves is in danger, he will stand forth its open and manly advocate, he will proclaim himself the enemy of secret treachery, claim in person the assistance of the people, and rely on their virtue for support. The mean, ambitious intriguer, will choose the mode Mr. Clinton has pursued. He will seek, by malicious whispers and insidious charges, which it is impossible to disprove, to ruin the reputation of every popular man, and reduce the character of every superior to a level with his own.

WHEN I shall have completed my examination of his important productions, and the pretended discoveries they contain, these will appear to be the "unworthy motives," that have influenced Mr. Clinton in the controversy with Mr. Burr. A controversy which in its aspect has become so important as to attract universal attention, and may in its consequences seriously affect the Union. Important he has rendered it. He has called on every litigious scoundrel in the country to blow the horn of civil discord. Clerks, surrogates, and attornies, have been enlisted under his banners, and bought by offices, to cry like parrots, *treason and desertion*. When he was elevated by accident to a seat in the council of appointment, these creatures were cherished, and swarmed round the council room, like reptiles on the banks of the Nile. Yes, these vermin, who

have been engendered in the sunshine of executive favour, and are feeding on the public bounty, now dare to proscribe the patriots of '76; men who fought and bled for their country's freedom, and subsequently resisted the introduction of principles hostile to the constitution.

I REPEAT that he was not chosen a member of the council for his talents or integrity. Destitute of both, he was artfully selected by a few, to accomplish vile and wicked purposes. To effect objects from which every honest man would have shrunk with horror. It was at this period, until which he had been unnoticed, that his character began to unfold; and, in his official conduct since, he has manifested a degree of guilt, sufficiently daring to alarm the slumbering fears of the community, and dissipate the willing blindness even of his friends. In concert with his great compeer in perfidy, he commenced a system of corrupt and savage persecution, at variance with the constitutional policy of the state, and adverse to the essential principles of our civil institutions.

IF the welfare of the country required a revolution in the catalogue of public officers, the procedure should have been adopted upon fair and manly principles. Justice and integrity should have marked the triumphant steps of the government. Mildness and impartiality should have proclaimed the restoration of public freedom. But, forgetting all duty to the laws, and responsibility to the people, Mr. Clinton, in a course of the most abandoned profligacy that ever disgraced a man in the service of his country, proceeded to prostitute the honour of the government; polluting, without fear, the purity of justice, and subverting with unhallowed hands, the fair fabric which patriots had erected. With callous hardihood, that bad e defiance to the whispers of reason and of virtue, he sacrificed the interests and safety of the people to gratify his own inordinate ambition.

THIS passion had seized his mind, from the first moment he was introduced to public notice, by the officious interference of his uncle, then governor of the state, and whose whole personal

and official power had been exerted to raise this degenerate youth from the low occupations, for which alone his clumsy and ferocious mind was formed. Every effort was made to reflect a little consequence upon him, and give him precedence to his cotemporaries, most of whom were infinitely his superiors. Although without talents, or any promising traits of character, he derived some importance from these circumstances, and was soon offered to the citizens of New-York as a candidate for a seat in the state legislature. At this early period, though at an age when generous and correct sentiments should have influenced his conduct, he manifested a total disregard to the principles he professed, and to the means by which his objects were attained. This zealous and humble patriot, who now affects to shudder at the name and iniquities of federalism, then boasted that he had made *secret* arrangements with certain federalists for their support, and that his election was safe, though the other republican candidates would probably be lost.

SUCH is the man who now boasts of the purity of republican character; who, after having thus betrayed his party, and *sought* federal support in his election, attempts to denounce Mr. Burr as an apostate, for exchanging with his political opponents the common civilities of life. Though Mr. Clinton *solicited* the support of federalists, and Mr. Burr rejected it when offered, yet because it is not known that he drove the messenger with violence from his door, Mr. Burr is branded by him with every odious epithet that malice can suggest.

THUS too in 1798, when Chancellor Livingston was a candidate for the government of the state, and himself for senator of the southern district, Mr. Clinton in his letters, gave no countenance to the election of the chancellor, and sent messengers to the polls, for the purpose of electioneering, with positive instructions to abandon the other republican candidates, if necessary to secure his own election.

INFLATED with pride at the unmerited attention he received, his vanity rendered him a subject of ridicule, and his demean-

our of disgust. He was insupportably troublesome to the party, and jealous of every influential member of the legislature. His envy and selfishness were never more unjustly roused, nor more intemperately expressed to his correspondents, than upon the following occasion. Mr. M'Cord, a patriotic member of the legislature from the county of Orange, introduced a resolution for the purpose of instructing our representatives in Congress, to attempt a repeal of the stamp act, which had excited much uneasiness and dissatisfaction throughout the state. Mr. Clinton thought this proposition would meet with the approbation of *the people*, and as he believed himself entitled to the *exclusive* privilege of introducing all popular measures, he was excessively irritated on the occasion; and vented his spleen in secretly abusing Mr. M'Cord. He wrote to his correspondent in this city, that Mr. M'Cord was actuated by *selfish* motives, and that his only object was, to acquire a little popularity and applause.

PREVIOUS to Mr. Clinton's election as a member of the council of appointment, he found it prudent to observe some caution in his opposition to Mr. Burr. The futility of his mind and influence would have sunk into total insignificance, when put in competition with the talents and power of that gentleman. But soon after this event he threw off all restraint. Puffed up with vanity, he fondly hoped to wield without control, the power of the state, and that all officers, dependent on the council for their appointments, could be marshalled like slaves against any designated opponent. A hatred of Mr. Burr, which had been infused into the mind of this young man from his infancy, and which had been confirmed by his uncle's loss of the vice-presidency, was now brought into full operation, and displayed itself upon every occasion. It was, however, soon found that neither the Clinton nor Livingston interest singly, could oppose with success the well-earned popularity and influence of Mr. Burr. An interview therefore was suggested and obtained, between the leaders of each faction. After some deliberation, the preliminaries were settled, and a regular association formed, for the laudable purpose of ruining

the reputation and prostrating the power of Mr. Burr ; leaving the division of the spoils to future arrangement.

THIS party, composed of materials discordant and odious, organized upon principles more wicked than any that had ever arisen in the state, soon commenced their destructive operations. With astonishment it was observed that no man, however virtuous, however unspotted his life or his fame, could be advanced to the most trivial appointment, unless he would stipulate to abandon all intercourse with Mr. Burr, vow opposition to his elevation, and like a feudal vassal, pledge his personal services when called for, to traduce his character, and circulate from one end of the state to the other, all the slander with which he should be furnished. The sullen frowns of poverty influenced some, avarice and the lust of power corrupted others, and the sternest virtue sometimes yielded to the prospect of political eminence and promotion. Ordinary vision was dazzled by the splendid show of power vested in the council of appointment, which was now more conspicuously displayed than ever. The whole state was to be revolutionized, and purged of all impurities. By a sudden exertion of public strength, it was to be at once translated from a *state of sin and misery*, into one of perfect tranquillity and bliss.

THE council was the instrument that was to effect these glorious purposes. But upon viewing the materials of which it was composed, good men despaired, and sunk under the conviction that all the ends of their labour, all the wishes of the people, would be frustrated and despised. Instead of keeping steadily in view the honour of the government, and making wholesome reformations in the disposition of political power, the members of this body were governed by a mean, sordid, and selfish policy, meditating alone their own aggrandizement, and the establishment of extensive political influence. Principle was prostrated, virtue and talents ridiculed.

THESE observations are intended to apply particularly to the two champions, who have uniformly claimed the sole *honour* of

having conducted the operations of the celebrated council of which I am speaking. The third republican member, though undoubtedly upright in his views, was deluded by ingenious artifices, and the confusion of the times. It has been also deemed expedient, (and is I believe universally practised) for the members of the council to concede to each other the exclusive right of nominating for the districts they represent. The two most southern districts, represented by De Witt Clinton and Ambrose Spencer, were the seat of the most mischievous machinations. As the first of these gentlemen has always boasted of an absolute control over the other, I shall ascribe to him chiefly, the arrangements in that portion of the state, which these districts embrace, and to him exclusively, all the appointments in the southern district. Here he originated and pursued a system of intrigue, of favouritism and persecution, so extensive and diversified, as to defy elucidation, and stagger all human speculation. Those alone who have witnessed the dissensions and confusion that have prevailed among us, can estimate the iniquity of his conduct.

His intimacy with men, who have long since disowned all regard to decency, and have become the daring advocates of every species of atrocity, certainly deserves notice, and ought to insure him the detestation of the community. His connexion with those who by their lives, as well as the precepts they inculcate, have become finished examples of profligacy and corruption, who have sworn enmity, severe and eternal, to the altar of our religion, and the prosperity of our government, must infallibly exclude him from any commerce with reputable men. What sentiments can be entertained for him, but those of hatred and contempt, when he is seen the constant associate of a man, whose name has become synonymous with vice ; a ruthless assassin of private character, the destroyer of domestic comfort, and of social happiness ; when he is known to be the bosom friend and supporter of this dissolute and abandoned libertine, who from the vulgar debauches of the night, or the custody of civil officers, hastens again to the habitual commission of daily crimes ; a callous Caitiff, who, through the robbery of the public revenue, and

the violation of private seals, hurries down the precipice of deep and desperate villainy.

CAN he have even claims to compassion, while he openly extends his confidence and friendship to another wretch, whose whole life has been a continued scene of fraud and perfidy; whose destructive grasp, neither friend nor foe, not even the wandering stranger, can escape; by whom swindling has been reduced to a science, and treachery to mathematical certainty? From pure congeniality of soul, it is presumed he has assumed the name of "*Lysander*," the most corrupt and abandoned villain ever born in Greece. This language may offend the delicacy of Mr. Clinton's friend, and rouse the tender sympathies of his patron. But it is proper, because it is merited. The society in which he is permitted to live will applaud the chastisement, and Mr. Eden will bear testimony to its justice.

THE appointment of Tunis Wortman as clerk to the mayor's court, is sufficient to confirm all the observations I have made, relative to the views with which the officers for the southern district were selected. This elegant personage is a living monument of the patience with which Americans can suffer themselves to be abused and insulted by men in power. An execrable compound of every species of vice, he is at this moment an object with whom every decent man scorns to associate. The curious who wish to view human nature in its most degenerate state, will in this man find a fit object of contemplation. To the natural inquirer he will afford an interesting subject of speculation. He will be found in the lowest class of creatures recognized as rational, if not the very link that joins the animal to the human race. This "pestilent pauper," whose squalid countenance, carious teeth, and fetid breath, cause the street passengers to leave the walk to avoid him, was raised by the council from the filth in which he wallowed, to the most lucrative office in the state. When called on to justify this outrage upon the honour and dignity of the city, Mr. Clinton increased the atrocity of his conduct, by exulting in the mischief

he had done. "Though he is a great scoundrel he has been of service to the party, and ought to be rewarded," were the words he uttered. Here is a direct avowal of the principles upon which he acted. A complete confirmation of the charges which have been urged against him. It is irresistible evidence that the public good had no influence in determining his conduct. It is the "*ne plus ultra*" of political depravity, and establishes his guilt in every mind, that is not impenetrable to conviction.

THE author of the Reply has thought it worth his while to attempt to vindicate Wortman from the chastisement inflicted in the above. With this view he says, "It will scarcely be credited that to the eloquent pen of this gentleman, who to gratify party malevolence is classed among the lowest order of human beings, Mr. Burr is indebted for the most splendid of his professional speeches. The beautiful and much admired speech, which he delivered in the case of Weeks, was *written by this lowest of creatures, recognized as rational*. He has provoked the disclosure. Let him be shorn of his borrowed honours." Now it is not to be denied that if there is one word of truth in this, the disparagement of Mr. Wortman comes with an ill grace from any friend of Col. Burr. The falsehood, however, has been detected by the person best able to detect it, and his correction has passed without reply or notice. Mr. Coleman, the reporter of Weeks's trial, a gentleman, by the way, not to be suspected of much partiality to Mr. Burr, when he saw this statement in the *Reply*, came out in the *Evening Post* of the 7th of February, and declared explicitly that this account "differed materially from the truth," for that the speech of Col. Burr on this occasion, as it appears in print, was written out from his own short hand notes taken at the trial, and concluded with saying that whatever of merit there was in Mr. Burr's speech, "he was certainly not indebted for it to Mr. Wortman, nor to any other person." This, it seems placed Wortman in an awkward predicament, who found himself driven to acknowledge openly in the *Citizen*, that "Whatever merits existed in the speech of Mr. Burr delivered at the trial,

he presumed to have been entirely *his own*." Though my readers will feel no surprise at this writer's being occasionally convicted of a falsehood, yet perhaps it is not a little singular that he should never once stumble on the truth. But enough of this digression :

To enumerate more particularly the reprobates who form the circle of Mr. Clinton's confidential associates, shall be the occupation of another moment. However painful and degrading it may be, a due regard to justice, and a desire to give a faithful delineation of his character, will lead me to exhibit him as the constant companion of men who are personally abhorred, whose sentiments and conduct have long since received the decisive sentence of public condemnation. From every impure source he has attracted the votaries of vice, and formed a veteran phalanx that do no honour to the viciousness of his own mind. Such are his companions, such the fearless patriots who claim the protection of our country, and audaciously demand the honours of the state. Familiar with so much iniquity, it was natural to suppose that his ingenuity would be exercised to raise the political consequence of these congenial characters ; to scatter the seeds of irreligion and confusion until they produced the destruction of all moral and political obligations, relaxed attachment to the laws, and engendered dissensions destructive and incurable, among the supporters of a wholesome government. Scenes like these alone could give him consequence to a malignant misanthrope, and raise him from obscurity.

BUT perverse indeed, or feeble, must be the mind which cannot discern that the days of political delusion and anti-social conspiracies are passing away ; who does not perceive daily proofs of the returning attachment of our citizens to the benefits of a stable, free and well organized government ; they never will suffer its foundations to be subverted, and the privileges which they cherish and love to exercise to be torn up by the unhallowed hands of a few desperate adventurers. One moment's exercise of even Mr. Clinton's slender capacity, would

yield him this conviction. Let him then make one earnest effort to escape from ruin ; to abandon his horrid communion with “vulgar vice, and base-born profligacy ;” to vindicate the dignity of his nature, and save, though it were by the locks, the drowning honour of his name.

THE transition is easy, from moral to political depravity ; from private baseness to atrocious corruption in public life. The characteristic traits of Mr. Clinton’s mind have been manifested in whatever situation he has been placed ; whether in the humble sphere for which he was designed by nature, or enveloped in the deceptive grandeur of fortuitous elevation. Those who had marked the progress of his profligacy, soon discovered cause for alarm, and were not surprised at the iniquity of his public conduct. He has verified the predictions of the suspicious, and silenced the most credulous part of the community. An acknowledged novice in the science of government, and a stranger to elevated principles of policy, still it was hoped by those to whom he was unknown, that though he might prove incompetent to take an enlarged view of the political relations of the state, or conceive any comprehensive plan for the regulation of its various interests, that he would yet discover some share of integrity, and exercise some little industry and discretion in discharging the duties of an appointment, which he had meanly condescended to solicit.

BUT those who were sanguine enough to indulge these visionary hopes, were unmindful of the invincible propensities that had marked every moment of his political life. They thought it impossible that a person so young could be regardless of every upright principle, and callous to remorse ; or that the practice of iniquity could so soon have banished every honourable sentiment from his heart. But the illusion was soon dissipated, and they beheld him an adept as well in political as in moral turpitude ; profoundly skilled in all the combinations of treachery and fraud ; an unprincipled and desperate intriguer, whom neither fear, nor shame, nor dread of punishment, could

restrain. Where, it may be asked, was his wonted prudence, and where his boasted honour, when he caused it to be proclaimed to candidates for office, that personal devotion to a few ambitious individuals had become the standard of political merit? What elevated patriotism was it that induced him to employ two abandoned hypocrites, to pursue candidates through this town to ascertain their personal attachments and political prejudices, and kindly to insinuate, that unless satisfactory assurances were given of future support in the selfish projects of himself and friends, and of strenuous opposition to the elevation and popularity of the vice-president, every avenue to promotion would be forever closed? With what temporary derangement of intellect could he have been afflicted, when he personally solicited General Alner and Mr. Ezekiel Robbins respectively, on the same day, to accept the appointment of health-officer for the city and county of New-York; to both solemnly pledged his support; betrayed both, and subsequently gave it to a third? From this disgraceful charge he cannot escape, by alleging a want of power, or the want of influence, nor hope for "indemnity to himself from community in crimes." Those who have been initiated into the mysteries of the council, or who discovered by accident the arrangements of the day, are ready to confront him. Constraint cannot be urged, in palliation of his treachery; nor can he plead the pressure of the times, and that "care may retract vows made in pain as violent and void." His conduct was as voluntary as it was base, and serves to elucidate the complicated criminality of his character.

LET us hear the reply to this charge. "It is said, that Mr. Clinton promised offices and afterwards betrayed those who relied upon his assurances. This is extremely improbable. It would have been presumptuous in Mr. Clinton, a single member of the council, to have given assurances even to the most meritorious character. It would have been arrogant, for such assurances would have indicated the belief that he possessed sovereign control in the council. It would have been preposterous, for he knew that the other members of the council were as independent

as himself." All I shall say to this, is that Mr. Clinton might as well have acknowledged the fact in a direct manner, and for once have gained the credit of a little candour.

By what "noble and elevated considerations" could Mr. Clinton have been actuated, when he deliberately sold the office of secretary of the state for a vacancy in the senate of the union? When he basely abandoned the interests of his constituents, and left the city he represented, exposed to the threatened horrors of anarchy and confusion? Destitute of a local government or an efficient magistracy, the lives and fortunes of the citizens were equally at stake. At this gloomy moment, they applied for relief to the sovereign authority of the state, and relied on the exertions of those whom they had honoured with their suffrages and their confidence. But Mr. Clinton disregarded their danger; he smiled at their apprehensions, and by the most daring intrigue, raised himself above their control. The moment was at hand that was to terminate at once his seat in the senate and the council; he dreaded the justice of the people, and dared not meet the awful scrutiny of his constituents. Conscious of his guilt, he knew that at the expiration of the period for which he was elected, he would have been driven from his elevation, hated and disgraced. "Reluctant and unrepenting," he would have been compelled to retire to some secluded spot, sinking under the accumulated detestation of the people. And though he may have derided the impotence of the laws, and in his retirement malignantly rejoiced at the evils he had produced, he would have been consigned to the infamy he merited; despised and unnoticed, except when pointed out as an object of scorn and abhorrence.

THE office of secretary of the state was bestowed on a man destitute of talents, and notoriously unworthy of confidence. A contemptible, shuffling apothecary, who, without talents to profit by the pursuit of an honest profession, and just capable of doling out medicine by the ounce, has assumed every character designated by human actions. To accomplish his purposes, he has travelled round the whole circle of religious de-

nominations; he has alternately embraced every sect, and subscribed every creed, from outrageous methodism, to the inoffensive ceremonies of the Baptist, until he has terminated his career in the sports of the turf, jockeying in horses, and in chaffering politics, without ingenuity to devise, or spirit to pursue any systematic plan of iniquity.

THIS Tillotson, the worthy relative of the Livingstons, had travelled the country round, like an hungry spaniel, begging an office as he went. He journeyed to Washington to solicit in person the collectorship of New-York. The futility of his claims, and the seriousness and *address* with which he urged them, formed a subject of ridicule to the administration for a month. No sooner was this favourite scheme frustrated, than he ransacked Maryland, and offered to *honour* his native state with his residence if any thing worthy of his attention could be *offered*. There fortunately he was known, and nothing was presented to induce his return. This active knight returned from his romantic expedition, cursing the vice-president, proclaiming him a federalist, and a traitor to his party, simply for having recommended another gentleman for the office of collector for the port of New-York.

THIS *preux chevalier* began his life with a laudable determination to make his fortune. He practised with unlimited success upon the Livingston maxim,

Rem facias, rem

Si possis recte, si non, quocunque modo rem.

To him it was immaterial whether it was squeezed from the pockets of honest and industrious tenants, or whether it was pilaged from a relative by the glorious chicanery of the law, or whether derived from the public treasury, as an equivalent for services he is utterly incapable to perform. Inflamed with a zeal for office and governed by these mercenary views, Tillotson solicited the office of secretary of the state as his last resource. His worthy brother was interested in his behalf, and

resigned his seat in the senate of the union.* The council gave Tillotson the office he desired, and Mr. Clinton was chosen to fill the seat which Armstrong had abandoned. This shameful transaction needs no farther comment.

MR. CLINTON certainly displayed some management in making his arrangements with Tillotson and Armstrong. The resignation of the latter, and Mr. Clinton's elevation to his vacant seat, was the only possible mode in which he could arrest the expression of disapprobation which his constituents were prepared to pronounce at the then approaching election. In the hour of danger he had abandoned their interests. When local animosities and party virulence threatened derangement to our municipal regulations; when the city was upon the eve of being left watchless and unprotected; when dark and midnight spirits prowled about the streets, meditating deeds of "darkness and disaster," he remained unmoved by the menacing calamity. Conscious of the fate that awaited him, he fixed his views on a seat in the senate of the United States, and escaped the indignation of his constituents by stepping into the place he had induced Armstrong to abandon.

THIS lazy apostate had alternately espoused the doctrines and advocated the principles of the different parties in the state. After vibrating between each, in quest of favour and promotion, he at length settled permanently, as he said, on the side of the republicans, and they, as usual, rewarded his treachery with a seat in the national senate. At Washington, however, he found nothing congenial with his warlike temper, nor any thing within the influence of his mischievous disposition. There no tumult or rebellion could be raised. Distressed and hungry soldiers are the only subjects on which he can operate with success, and for his attempts at the close of the revolution, he should have received a fate which similar incendiaries seldom have escaped. Far above the sphere in which he was formed to move, unheeded and despised, Mr. Clinton found it easy, I presume, to induce him to abandon a place where neither apos-

* Tillotson and Armstrong are brothers-in-law. Both married sisters of Chancellor Livingston.

tates nor advocates for rebellion were received with confidence or respect. His proposition was made at a judicious moment ; a proposition, which by its success, at once disgraced the national legislature, by the introduction of a knave and an infidel, and increased the dangerous dissensions in the state, by restoring to its bosom an incendiary, whose only occupation and amusement has ever been to excite domestic broils and village-mischief.

THE person selected to fill the office of district attorney has uniformly been a subject of ridicule with our political opponents, and a disgrace to the council that appointed him. This contemptible and obsequious sycophant, abandoned the federal standard on the third day of the election in 1800. On the first he voted for the federal candidates ; on the second, perceiving that his party would be defeated, he began to waver ; on the third he boldly avowed himself a republican, and after the vote was declared in the evening, got upon a table in an ale-house to congratulate the republicans on their success. This vain and contemptible little pest, whose political sentiments, like a weather vane, are regulated by every interested breeze that blows, has been advanced to honourable and lucrative employment, in preference to men of sterling and acknowledged merit ; men, who, in the days that “ tried men’s souls,” combated with vigour the principles he then espoused. But

“ Pigmies are pigmies still, though perch’d on Alps.”

Neither the office which he holds, nor his having become the “ depository of Mr. Clinton’s honour,” nor his being the favourite companion of Mr. Cheetham, can raise this elastic puppet above contempt. While he is in office his ignorance and incapacity will expose him to disgrace. The disgust and dissatisfaction which his appointment has produced, should certainly excite shame and regret in the bosom of Mr. Clinton, if it was susceptible of any. But however deeply involved in mischief, the world will do him the justice to acknowledge that no emotions of sorrow, repentance, or remorse, were ever known to enter there.

THE appointment of justices of the ten pound court, was almost equally objectionable. Instead of regarding as he ought the claims of those who had acted as magistrates under the old law, and who had been deprived of their office by the establishment of the new system, Mr. Clinton preferred young men, some of whom were strangers to the party, and destitute of claims to public favour. Two of them were but just stript of their swaddling clothes, and their legal knowledge is hardly competent to the just decision of the simplest law case. But he deserves some credit for adopting means, apparently well calculated to insure success to the object he had in view. Upon his return from Albany, Mr. Clinton declared that the appointments had been made with the view of rendering the court in question unpopular, and thus to prepare the way for its abolition. There is an unfortunate fatality attending all his attempts to justify his conduct upon these occasions. When public men act upon motives like these, and have the hardihood to avow them, it evinces a spirit of depravity which threatens the most incalculable mischiefs.

IT needed not the assertion of Mr. Clinton, to convince the world that the council of appointment were actuated by improper views. Every county in the state exhibits ample testimony of the fact. With pain the people saw them yielding to the pressure of wicked allurements, and in effect, becoming the retailers of commissions, for which, pliancy of principle, blasted reputation, and enmity to the vice-president, were the most acceptable equivalents. These were manifestly the principles that governed the appointments in the southern district. As Mr. Clinton dictated them, the responsibility must rest exclusively on him. I have pointed out a few of the most odious selections that were made in this portion of the state; to enumerate them all would fill a volume, and far exceed the limits to which I am necessarily confined.

AND now, it may with justice be inquired, on what foundation rests Mr. Clinton's claims to integrity? Is it a systematic determination to violate every promise, however sacred; or

a total disregard to those ties of honour which bind alike the christian and the savage? Where, it may be asked, are we to search for proofs of his discernment? He will point, no doubt, triumphantly, to his companions, and some civil officers who have been taken from the lowest class of debased humanity. In what act of his life can we recognize his attachment to the welfare of the government, or the principles of virtuous freedom? Will he refer us to the prostitution of the power with which he was for a moment invested; to his itinerant efforts to dispose of offices to those who would swear eternal opposition to Mr. Burr; or to that system of selfish policy which at an early period was adopted by himself, and those on whom his transient influence immediately depended? a system which has laid the foundation for lasting and ruinous disorders in the state. View our political condition, and compare it with what a wise and judicious administration of the government might have rendered it. Instead of harmony and union among the friends of freedom, instead of a consolidation of the republican interest, calumny and dissensions are rapidly producing symptoms of decay and dissolution. Every part of the country is manifesting the most anxious solicitude, and the apple of discord, rolling through the land, is every where generating discontent, disorder, and confusion. These scenes are hazardous and alarming, and derogatory to the dignity of government. They are the awful annunciations of dissolution to our party, with whose ruin will disappear, the bright prospects of happiness which have but just beamed upon the people. That enlightened system of national policy which has its origin in the principles that prevailed at the revolution, will be prematurely terminated by the hands of intemperate foes, and the cause we espouse overwhelmed in its infancy.

THESE are the apprehensions of one who reflects on the consequences of political conduct. They are fears common to those who view with attention, the unimportant incidents that often destroy attachment to political establishments, and influence the direction of popular opinion. But Mr. Clinton, no doubt, can view with unconcern the poisonous divisions which

have been introduced among us, because he has not sagacity to foresee the evils they may engender ; because he has neither the candour to avow, nor the sensibility to lament his errors nor his crimes. The portentous clouds that occasionally float through the atmosphere, or hang on the political horizon, excite no emotions of sorrow in his bosom, because no change can render him more odious to the community, nor shorten the duration of his appointment. But let this Felix tremble, for it is well said, that “ he who sows the seeds of ruin, his is the harvest of iniquity.” He will one day be called to atone for the evils he has produced. However late, that period must arrive. He has hazarded the prosperity of the party, and sported with the welfare of the people. The day of retribution must come, and he should prepare for the awful sentence that awaits him.

THE conduct which Mr. Clinton has hitherto pursued in this important controversy, and the consequences it is likely to produce, has authorized the public to demand upon what principles he has proceeded. Destitute of personal resolution, proofs of which have been *abundantly* exhibited, in a manner disgraceful to himself, and *offensive* to his friends, he will perhaps shrink from a task so arduous and delicate. But no apology will be received. He shall be called up for judgment before the tribunal authorized to pronounce his sentence. He shall hereafter derive no advantage from seclusion ; if he is wise, he never will return to his retired habitation. It has already generated in his bosom all the malignant passions incident to human nature. The serenity of rural retirement is ill suited to the tempestuous emotions of his heart. If he rejects not my friendly admonition, he will bid adieu for ever, to his cool retreats and shady bowers ; they cannot be congenial to the turbulence of his spirit. His attachment to them is prophetic. To the *oak*, traitors have often been suspended, and a villain can never be cherished in its shade. Cruel by nature, capable of concerting and pursuing a series of cool and deliberate villainy, he has become morose without dignity, mean and contracted without the advantages it usually produces. His inflated deportment has rendered him an object of derision and disgust.

His vanity is as conspicuous as his wickedness is notorious ; he should recollect the hand that raised him from indigence, and cease to proclaim the “ *stability*” of his fortune. It was neither obtained by industry nor inheritance, but lavished on him by the wayward caprices of female weakness. He should restrain therefore the puerile ebullition of his vanity, and rely on other considerations for public favour.

IN the picture which I have here drawn, the friends of Mr. Clinton will no doubt recognize a just resemblance. Though it has not been finished with the delicate colouring, and happy touches of a master, a few rude lines it is hoped, have given the characteristic features of the original. I always despaired of making the delineation perfect ; a complete and faithful representation of his character, would defy all human ingenuity, and frustrate the liveliest efforts of the mind. Though I may not have been completely successful, yet, as truth is my guide, the information of the public, and Mr. Clinton’s reformation my only object, the attempt will perhaps produce some good.

IT will naturally be asked, why, in my remarks on the proceedings of the celebrated council of 1800 and 1801, Mr. Spencer has not been more minutely noticed ? He is not entitled to particular attention, because Mr. Clinton has uniformly declared, and the assertion has never been doubted, that Spencer acted entirely under his control ; that he was a mere engine set in motion to execute the plans which he himself had neither courage nor skill to accomplish. He has moreover become so odious in the county in which he resides, and throughout the state, that to attempt to render him more contemptible and despised, would be an idle waste of time.

I HAVE already stated, that this celebrated gentleman, has twice imposed himself upon the district in which he lives, as its senator ; and with the smile of a traitor on his face, he has never failed to disgrace his constituents while he has uniformly betrayed their interests. With a heart “ corrupt and rotten to the very core,” nothing but money could ever coerce him in-

to the path of honour. He is governed by no principles or feelings, but those which avarice and immeasurable ambition inspire. The whole course of his life exhibits an unvaried scene of vulgar deceit and base-born villainy, scarcely equalled in the history of human depravity. Having at the commencement of his political career, attached himself to the federal party, he acted entirely with them until the end of the year 1798. At that period he was a member of the council of appointment, and with characteristic ferocity, advised the indiscriminate ejection of *republicans* from office; in his own peculiar and elegant phraseology, he then declared, that with him* "*republican* and RASCAL were synonymous terms."

EARLY in 1799, impressed with a conviction that he had served his party and its principles with fidelity, he sought, as usual, a compensation for his services.

ABOUT this period, the office of comptroller was created, and on that the patriotic Mr. Spencer fixed his hopes. Mr. Jay, however, understood his character, and rejected his application with disdain. Mortified and disappointed, instigated by malice, fired with resentment, and tempted by the extravagant rewards which the republican party offered to federal deserters, he, like Armstrong, quitted their camp and became a zealous supporter of the men he had lately persecuted. By them, to their shame, he has been cherished. And by the worst combination of individual folly, with the perverseness of party spirit, he has been hurried through a variety of lucrative and honourable appointments. Without the aid of genius, or a single virtue, he has been raised to an elevated station, by which the reputation of the republicans has been endangered, their honour degraded and betrayed. For what purposes this insult has been offered to the dignity of the state, cannot be conjectured; none certainly that can justify this outrage upon the feelings of the public. Discerning men, however, anticipate some salutary effects from it. For, as in ancient times, vice was rendered

* I am informed these were his precise words.

odious by exposing its deformity ; so now, it is to be hoped, the exhibition of this disgusting monument of iniquity, will neutralize vicious spirits, and correct the moral sentiments of the people.

THE animosity of an apostate cannot be controled. Savage and relentless, he thirsts for vengeance ; every public consideration is swallowed up in the destructive vortex of private passion and revenge. With malignant composure he would view the tumbling ruins of his country, if his enemies were crushed beneath them. Such is emphatically the temper of Ambrose Spencer, who, after his conversion, was introduced to a seat in the legislature, by his new friends, for the express purpose of perplexing and persecuting his old ones. This task was faithfully performed. With fiend like perseverance he pursued his former associates ; he left nothing unessayed to torment the party he had betrayed ; grinning with malicious joy at the distresses of every victim that came within his grasp. If his opposition to the federal party had flown from a conviction of their errors, he would have merited applause, as far as it was honourably conducted. But being manifestly the result of corrupt views, and interested motives, he should have been driven from the society of republicans ; and for the honour of the party, appearances justify the hope, that this will soon be done. His insolence and pride have been tolerated much longer than his detested character or his talents will justify.

INFLATED with political consequence, and occasionally cloathed with a little "brief authority," this raving apostate has long been insupportably insolent and haughty to his equals. But always bearing in mind from whence he sprung, he is ever humble and obsequious to his superiors. An inflexible professor of virtuous cowardice, he has, with Job-like patience, submitted to chastisement, until his surface has long since become impenetrable to the severest operations of the cow-skin and the cane. Pointed at wherever he goes by the finger of scorn, tortured by the recollection of his crimes, and sinking under the detestation of all who know him ; he sometimes exhibits, it is said,

symptoms of depression and despair. The black catalogue of his vices has occasioned apprehensions of his destiny.

A PRESENTIMENT of a future fate is not uncommon ; it is sometimes derived from a gloomy and disordered fancy, and sometimes generated in a vicious mind, haunted by a consciousness of guilt. Spencer, like Dr. Dodd, I have heard, is occasionally tormented with apprehensions of an ignominious death ; a gibbet at times floats before his troubled vision, and alarms his sullen soul. Prognosticators have pronounced it indicative of his fate. Some honest men and firm friends to their country believe, that if there be justice left on earth, and the honour of the state is ever to be vindicated, the prediction will certainly be verified ; though I do not. It is not my desire, prematurely to alarm the feelings of this gentleman, by remarking either on the prospect or improbability of this event. I shall leave him to be punished by the terrors of conviction, and the convulsions of his own bosom. The most hardened criminal is not above contrition, and serious reflections may serve to turn him from his ways, and bring him to repent.

As the reader must by this time be disgusted with the scenes of depravity which have been presented to him in the characters of De Witt Clinton and Ambrose Spencer, I shall not again introduce them to his notice. Particularly as I propose presenting to the public a sketch of our political transactions during the years 1801 and 1802, in which the conduct of these worthy compeers will be more minutely analyzed. As they merit the severest reprobation, they shall not be permitted to slide out of public notice unchastised. They shall receive the same fate, and be linked in infamy together.

If any thing in the preceding pages should bear the appearance of undue severity, passion, or invective, the nature of the subject must plead my apology. In political controversies, I am ready to allow that personalities should be avoided, except in extreme cases. Abandoned and heedless profligacy, proceeding not from the waywardness of the times, but from inherent

propensities to mischief, cannot be checked, but by a direct and potent application to the very source from which it springs. Desperate diseases require violent remedies. In them, no cure can be effected without cutting to the bone. Whatever therefore of personality may offend the reader, it will be justified I hope, by the provocation which has been given, and the object I have in view, which is to correct deep and obstinate evils, and if possible whip two hardy offenders into the path of honour.

I SHALL NOW return to the main subject of these pages, and briefly examine the allegations which have been urged against the vice-president, and the proof by which it has been attempted to support them. I shall do this as concisely as possible, persuaded that a slight investigation is sufficient to convince every candid reader, that the whole transaction has originated in a premeditated plan to ruin at all events the reputation of Mr. Burr. In some parts of the voluminous publications which have appeared upon the subject, we find bold assertions without a particle of proof to support them; in others insidious insinuations, calculated to mislead the judgment of the reader, premises arbitrarily assumed, and conclusions drawn from them still more arbitrary and false. We are every where urged to accept the simple *ipse dixit* of an unknown author, as indubitable testimony of the truth of what he states. Thus, contrary to the just and legal maxim, that every man is to be deemed innocent until he is proved otherwise, contrary to every rule of right reasoning, and fair argument, the second officer in the government is to be pronounced guilty of dishonourable conduct, and robbed of his fame upon the bare suggestion of an anonymous writer.

THE real authors* of these productions, though known, have never dared to avow their names; they acted a more deep and subtle part. At first they contented themselves with preparing the credulity of the public by vague surmises, for the reception of the calumnies that were to follow. When these

* De Witt Clinton, aided by Samuel Osgood.

appeared, they for a while affected ignorance of their source, but expressed violent suspicions that there was cause for alarm, which soon terminated in a conviction that Mr. Burr had abandoned the principles he professed, had betrayed his party, and that as *patriots* they were bound to aid in the destruction of a man who had become dangerous to the liberties of their *beloved* country. The tocsin of alarm was sounded. Mr. Burr's guilt was proclaimed far and wide, while he was at a distance from the scene of action, and unable even by a denial to check the progress of his defamation. Thousands were deceived by these artifices. They did not know what ingenious preparations had been made. They did not know that all the printers in the state who were either directly, or indirectly, under the influence of the government, had been previously engaged to circulate the slanders which were originated in New-York; that the most personal and abusive manuscripts were prepared in this city and sent to country editors, to be published either as communications or editorial remarks; and that what appeared to them, the expression of the public sentiment, was nothing but the effect of pre-concert, and an artful combination among the personal enemies of Mr. Burr. When Mr. Burr was nominated to the vice-presidency, the government of the state, by his own aid and exertions, was placed in the hands of his enemies, who converted it into an engine to effect his ruin. The pamphlets in which he was calumniated, were circulated under the patronage of the officers of the government, and conveyed by every possible channel into the remotest corners of the state.

THUS aided, the author of *The View*, advantageously commenced his attack on the vice-president, and has since continued his labours. These it is believed will be more properly appreciated, after his productions shall have been analyzed. I shall resume the examination of *The View*, &c. where I left it.

IN the 43d page of that production is the following paragraph.

“THE moment he (Mr. Burr) was nominated, he put into operation a most extensive, complicated, and wicked system of in-

trigue, to place himself in the presidential chair. He set to work all his inventive powers, and in some instances, employed men to carry his plans into execution, who neither perceived their nature nor extent. In the furtherance of his intrigues, he spared no pains, nor was he parsimonious of expense. The *expresses* kept on foot, the men he employed, and the expenses of their various agencies, must have cost him a sum little less than one year's salary of his office. Mr. Burr seems to have carried on a *secret* correspondence with the federalists from the period of his nomination."

THE facts adduced to support this charge shall be noticed in the order in which they occur.

IN the first place it is said that Mr. Burr sent political *agents* to the different states. What were the particular objects with which these *agents* were charged, is not stated. If their objects were, to effect the election of Mr. Burr to the presidency, it should have been shown that they tampered with the electors *after* they were chosen, and attempted to divert their votes from Mr. Jefferson. If this is not done, the assertion that Mr. Burr had *agents* in the different states, if proved, amounts to nothing. But unfortunately for the author of *The View*, &c. whenever he is so incautious as to refer to gentlemen by name, they disprove and falsify the very charges which it was his object to establish. Mr. Abraham Bishop, he says, was Mr. Burr's *agent* at Lancaster. This gentleman in two publications addressed to the editors of the American Citizen, and published in their paper, the first on the third, and the other on the 19th of August, 1802, explicitly denies that Mr. Burr sent him to Lancaster, or that he went there for any purposes personally or politically regarding that gentleman.* But admitting for a moment that Mr. Bishop had gone to Pennsylvania at the request of Mr. Burr, he could manifestly have had no other object in view, than to induce the senate of that state to yield to the assembly, and suffer fifteen republican electors to be appointed. This indeed is the only object ascribed to him by

* These publications would have been inserted here, but their length renders it necessary to omit them.

the author of *The View*, &c. and was it not one, the accomplishment of which was devoutly wished for, by every man who felt an interest in the momentous transactions of that day; inasmuch as it would have effected, beyond the possibility of defeat, the election of the republican candidates for the two first offices in the general government. But in that case, says the author of *The View*, &c. "the federalists would have had no hopes of success, and Dr. Smith of New-Jersey was secretly to have voted for Mr. Burr, and thus made him president of the United States." To this insinuation Dr. Smith replied in the following manner :

" *Princeton, July 29, 1802.*

" TO THE EDITOR OF THE EVENING POST.

" SIR,

" IN your paper of Monday, July 26, under the article entitled, *A View of the political conduct of Aaron Burr, Esq.* by the author of the *Narrative*, I observe some very gross misrepresentations, which I conceive it to be a duty that I owe to Mr. Burr, the New-Jersey electors, and myself, to declare to be absolutely false.—Mr. Burr never visited me on the subject of the late election for president and vice-president—Mr. Burr never conversed with me a single second on the subject of that election, either before or since the event. No project or plan of the kind mentioned in that paper was proposed or hinted at among the electors of New-Jersey. I am assured that Mr. Burr held no intrigue with them, on that occasion, either collectively or individually. They were men above intrigue; and I do not know that he was disposed to use it. At their meeting, they unanimously declared that a fair and manly vote according to their sentiments, was the only conduct which was worthy of their own characters, or of their cause.

" SAML. S. SMITH."

HERE then fails every thing that has been asserted, relative to the New-Jersey electors. Dr. Smith's integrity is unassailable; his public and deliberate assertion, I trust, will not be questioned. From this it manifestly appears, that the electors of New-Jersey were not to have voted for Mr. Burr in any possible case, and that he never attempted to influence their conduct upon that occasion. If Mr. Burr had even attempted to throw

the whole weight of Pennsylvania into the republican scale, he would have been perfectly justifiable, and merited the approbation of the party. But every thing which has been insinuated against the vice-president with regard to his interference with the proceedings of that state, and his intrigues with the New-Jersey electors, has been fully and decisively denied by Mr. Bishop and Dr. Smith.

THIS charge, therefore, against Mr. Burr must be abandoned, not only as unsupported, but *disproved*.

IT is urged with a zeal bordering on madness, that from the moment of Mr. Burr's nomination to the vice-presidency, he exerted all his talents and ingenuity to obtain an *equality* of votes with Mr. Jefferson. It is not even pretended that he attempted to influence a single elector to drop Mr. Jefferson, which would have secured to him the chief magistracy of the United States. This obvious mode of accomplishing his designs, any one who was not an idiot, would certainly have adopted. Can the monstrous absurdity be for a moment believed, that a man of Mr. Burr's discernment, actuated by the ambitious feelings ascribed to him, would hazard a reliance on the remote probability of influencing a majority of representatives from three states in congress, rather than attempt to bring a solitary elector into his views? This can certainly never be presumed; especially as it is well known in this state, that two or three at least, of the electors would have dropped Mr. Jefferson, if Mr. Burr had expressed a wish to that effect. Let it be therefore shown that Mr. Burr intrigued with some of the electors; that he attempted to divert their suffrages from Mr. Jefferson, and the controversy with him, is at an end. But no, this attempt the political enemies of Mr. Burr dare not make. This plain and simple conduct cannot further their designs. To assist their purposes they must torture the plainest language, the most immaterial circumstances into *presumptive* testimony, to create a *suspicion* that Mr. Burr wished to be president of the United States. Like able conjurers, they envelope the enchanted witnesses of their machinations in a cloud of mysterious nonsense,

and agitate their affrighted imaginations, until convulsed with terror, they see spectres at their elbows, and monsters at every step threatening them with ruin. The ears of the community must be awakened, suspicion, which they know is next to ruin, must be attached to the character of Mr. Burr, or their *pretended proofs* can produce no impression. Like the drunken and maniacal revolutionists of France, they first utter imprecations against their victim, and tear up his reputation by the roots, then scatter falsehoods in the shape of accusations, and call it *proof*. Let the elector, who at the late election, was asked to withhold his vote from Mr. Jefferson be named, and then their assertions will be worthy of attention.

WHILE on this subject, it may not be improper to notice some insinuations which are scattered throughout the publications that have appeared against Mr. Burr, relative to his conduct in this state. They are intended to excite a *suspicion* that some understanding existed between Mr. Burr and one of the electors. To justify this *suspicion*, Cheetham, in his seventh letter to Mr. Burr, states, that Mr. Lispenard in a conversation at Hudson, subsequent to the day on which the electors had given their suffrages, said, "that if he had supposed, that Mr. Jefferson and Mr. Burr would have had an equal number of votes, he would have dropped Mr. Jefferson."* Whether this statement is true or not, I shall not inquire. If correct, it is conclusive evidence of the rectitude of Mr. Burr's conduct. It is allowed that Mr. Lispenard is a very intimate and personal friend of Mr. Burr; if therefore, he had entertained any design of supplanting Mr. Jefferson, Mr. Lispenard would certainly have been the first elector to whom his wishes would have been disclosed. Agreeably to Cheetham's statement, if Mr. Lispenard had been informed that there would probably be an equality of votes between the two candidates, he would have dropped Mr. Jefferson. It follows then, that the prospect of such an event was never suggested to Mr. Lispenard,

* See pamphlet containing nine letters of James Cheetham to Aaron Burr, page 30.

and that no desire was ever expressed; that Mr. Burr alone should be voted for. According, therefore, to every rational deduction, it must be evident to the reader, that nothing like intrigue was attempted with the electors of this state. This is a position which, however indubitable it may be, is in itself unsusceptible of proof. It is sufficient that the vague assertions on this subject, are not warranted by any testimony which has appeared. The authors, therefore, of the calumnies against the vice-president are set at defiance, and solicited to reduce their idle surmises to specific charges, and to prove them. Conscious that Mr. Burr's conduct relative to the choice of electors was uniformly unexceptionable, and that no attempts were made to restrain or counteract the voluntary expression of their sentiments in the choice of a president, the enemies of Mr. Burr have wisely abandoned this ground, and insist that his ingenuity was steadily exerted to obtain an *equality* of votes with Mr. Jefferson.

As they have determined to ascribe this course to Mr. Burr, it will be well to examine what circumstances are relied on to bear them out. Though this position, by the perseverance of the federal minority in congress, and a variety of other circumstances, has been rendered more advantageous to the iniquitous projects of a few ambitious men, and to the progress of well arranged and preconcerted calumnies, still upon a fair investigation it will certainly prove equally untenable.

FIRST, it is stated that in order to induce the southern states to give the two candidates an equal number of votes, it was reported by the friends of Mr. Burr, that in Rhode-Island, Mr. Jefferson would have one or two votes, and Mr. Burr none; thus to dissipate southern jealousy, and prevent a diversion in their votes.

THAT a report of this kind prevailed is certainly true, but that it originated in dishonourable motives, is notoriously false. My knowledge of the circumstances on which it was founded, enables me to make this declaration. It is asserted as a fact,

which dare not be denied, that the governor of Rhode-Island, who expected to have been one of the electors, told Col. Willett, the revolutionary officer alluded to in *The View*,* as well as others, that he would vote for Mr. Jefferson, but not for Mr. Burr, and also that he had declared this to Mr. Burr himself, who he said, approved of his intentions. Col. Willett wrote this to several of his friends, which gave rise to the report in question, and on what better foundation could it rest? It is certainly sufficient to exonerate those who repeated it from improper views. Whether it had any influence in determining the conduct of the electors in the southern states is not known, nor is it material. But according to *The View*, Mr. Burr was determined at all events not to have a *greater*, but an *equal* number of votes with Mr. Jefferson. For this purpose, it is said, “the Rhode-Island report was circulated, and the better to enforce its truth and insure success to this favourite object, Mr. T. Green was sent to Columbia, and corresponded with the vice-president on the subject of the then approaching election, under cover to Mr. Swartwout.” To this charge these gentlemen reply in the following manner :

“ *New-York, October 11, 1802.* ”

“ MESSRS. DENNISTON & CHEETHAM,

“ In the *American Citizen* of this day, you have made a publication, to which you have affixed your names. In this you have stated, 1st, That Timothy Green, of this city, was dispatched as an agent to Columbia, the seat of government of the State of South-Carolina, by the vice-president. 2dly, That he was the eulogist and intercessor for the vice-president. 3dly, That he sent the vice-president dispatches regularly, addressed to Mr. John Swartwout of this city, under cover.

“ Now, as you have been most egregiously imposed upon by some disorganizing persons, it is your duty, and mine, that the public be immediately furnished with both what were and what were not my inducements and motives, in making a journey in November 1800, to Columbia, and of my conduct while there. For this purpose,

* See *View*, page 47.

you will please to insert in your paper of to-morrow, the following corrections to your statement :

“ 1st, I AVER, that I never went on any message of a political nature to Columbia, in South Carolina, or to any other place, for the vice-president, or any other person ; neither was I ever requested or desired by the vice-president, or by any other person, to go to Columbia, in South Carolina, or any other place, on any political or electioneering mission, of any name or nature whatsoever. On the contrary, my journey to Columbia, in South Carolina, in the year of our Lord one thousand eight hundred, and my engagements until my return in 1801, was wholly unsolicited by any person (except my debtors in South Carolina ;) and were solely of a commercial nature, and for which I had been preparing eight months before.

“ 2dly, THAT I never wrote a letter to the vice-president of a political nature ; neither did I write him any information relative to the presidential election in South Carolina, neither did I ever enclose a letter, directed to the vice-president, in a letter or cover directed to Mr. John Swartwout.

“ 3dly, THAT my letters to Mr. Swartwout while in South Carolina were unsolicited, and written solely with the motive to relieve the minds of my friends from the anxiety necessarily attendant on a state of suspense, while an important event is hourly expected to take place.

“ 4thly, THAT I never was in the habit of eulogising public men, neither did I vary from my usual manners while in South Carolina. I had no occasion to intercede for the election of Col. Burr : all the fear I had while there, was lest a compromise might take place, as the political parties were nearly balanced in the state legislature. This I did, as far as in my power, conscientiously endeavour to prevent ; knowing that if union and good faith were not inviolably preserved among the constitutional republicans, our past, present, and future exertions would be entirely unavailing.

“ TIMOTHY GREEN.”

THE information contained in this letter, explicit as it is, is confirmed and corroborated by the following one of Mr. Swartwout :

“ FOR THE AMERICAN CITIZEN.

“ MESSRS. DENNISTON & CHEETHAM,

“ IN your seventh letter addressed to Aaron Burr, Esq. vice-president of the United States, published in the American Citizen of the 11th instant, I notice the following paragraph, viz.

“ MEANTIME, sir, you had your eye on South-Carolina; you dispatched an agent, Mr. Timothy Green of this city, to Columbia, the seat of government of that state. It was questionable whether South-Carolina would give you a single vote. At that period you were scarcely known in the state. Mr. Green was at Columbia at least two months. He was your eulogist; your intercessor; he sent you dispatches regularly; they were addressed to Mr. John Swartwout of this city, under cover, and by him communicated to you.”

“ YOU will please to inform the public, through the medium of your paper, that the above paragraph, so far as relates to my receiving letters under cover, or communications from Mr. Timothy Green for Aaron Burr, is utterly destitute of truth.

“ JNO. SWARTWOUT.

“ *New-York, October 13, 1802.*”

By this time I think the reader must be convinced that Mr. Burr never attempted to influence the suffrages of any of the electors, or to withhold a single vote from Mr. Jefferson, and that the equality of votes between them, was purely the result of accident and good faith. This clearly appears from the view which has been taken of the subject thus far, and the total want of testimony to justify the *insinuations* which have been made.

I SHALL NOW proceed to examine the justice of the censures which have been so abundantly and scurrilously lavished upon the vice-president, in consequence of his conduct subsequent to its being known that he had an equal number of votes with Mr. Jefferson.

IT will not be denied, I presume, that in all cases where specific charges are made against an individual, the burthen of proof rests upon the *accusing* party. All just rules of investigation, demand that *he* should prove his assertions. It never can be

expected that the other should prove a *negative position*; that he should prove his *innocence*, which is almost universally impracticable. Nor ought those whose province it is to decide upon the truth or falsehood of any given accusation that involves the private and political reputation of an eminent and useful individual, to be satisfied with declarations that more than *presumptive* testimony cannot be adduced. This is peculiarly forbidden by the nature of the case under examination. The enemies of the vice-president, after reiterating for months, the most injurious charges against him, and daily offering to prove them “*in a court of justice*,” declaring to individuals and the public, that the most indubitable testimony was in their possession, now do not blush to allow, in their own publications, that positive proof cannot be obtained. Insisting at the same time, that the ingenuity of Mr. Burr, and the intricacy of his character, are such, that evidence ought to be accepted inferior to that which would be requisite to convict any other man of dishonourable conduct. The modesty of these gentlemen, certainly deserves applause. That Mr. Burr’s character should appear intricate to them, is not singular. The conduct of an honest man is always unaccountable in the view of knaves. Driven to this humiliating confession, they have no other resource than to attempt, by an artful exhibition of circumstances, to justify their suspicions, to fix a stigma upon his character, and shield themselves from the just indignation of the public. Convinced that the disposition of the human mind is prone to suspicion, that it cherishes a credulity favourable to the introduction of calumny, and that it often catches at the probability of circumstances as a sure and substantial ground of faith, incidents the most trivial in their nature and accidental in their occurrence, have been conjured up to increase the quantity, if not the value of their testimony.

THE country has at length been so deluged with ingenious and wicked publications, under the name and in the form of evidence, that the people are bewildered by these sophistical efforts of exasperated enmity. With flagitious levity they have been led into the wide field of conjecture, and without a ray of light to direct their steps, have been left to wander in the laby-

rynth prepared to perplex them, until, exhausted with unavailing efforts to arrive at truth, they have rested on inferences drawn from unsupported assertions, and rejoice to call them proofs. In short, rather than continue the labour attendant on an accurate investigation into the nature and origin of the controversy in question, and the manner in which it has been conducted, a great portion of the people have encouraged the dangerous influence of first impressions, and yielded to the current of abuse, which has been impelled from its source, by the convulsions of disappointed ambition. If I shall be so fortunate as to dispel this mental indolence, and awaken an accurate and impartial examination into the evidence, which has been produced to prejudice the public mind against Mr. Burr, by his political opponents, I humbly hope to make manifest their malice and his integrity.

ALL the indulgence I shall solicit on this occasion, is, that those who have commenced the attack on the vice-president, shall not be allowed to impeach the credibility of their own witnesses. When they refer to persons by name, as having a full knowledge of the transactions of which they speak, and call on them to support their statements, and these very persons unequivocally deny the truth of their assertions, it is but reasonable that they should be concluded by their evidence, and not be permitted to accuse them of prevarication and falsehood. It will easily be perceived that if this privilege is not withheld, no controversy can ever be terminated; for an endless number of persons may be referred to, and the period of acquittal be protracted beyond the ordinary limits of human existence. It is believed that the position here contended for, will be readily recognized as just. At all events, the least that can be granted is, full credit to those who have favoured the public with any communications on this subject, particularly as in point of character they are all superior to those who are opposed to them.

IN examining this part of the charges against Mr. Burr, I shall not hazard the imputation of prolixity, as I am persuaded it is susceptible of a concise and satisfactory refutation.

HITHERTO I have confined myself to the order in which the accusations against the vice-president have been stated in the "View of his Political Conduct." But as the nine letters addressed to that gentleman by James Cheetham, are most relied on by their author, I shall attack him in this his boasted fortress, and begin by analyzing his eighth letter. The first seven are copied verbatim, from *The View* just mentioned.

THIS elaborate production commences, as usual, with a page or two of vague and abusive declamation against the general character of Mr. Burr. Then follows the allegation which is now to be examined, and Mr. Burr's denial which are as follows :

"MR. BURR, while in the city of New-York, carried on a negotiation with the heads of the federal party at Washington, with a view to his election as president of the United States. A person was authorised by them to confer with him on the subject, who accordingly did so. Mr. Burr assented to the propositions of the negotiator, and referred him to his confidential friend to complete the negociation. Mr. Burr stated, that after the first vote taken in the house of representatives, New-York and Tennessee would give in to the federalists."

View, p. 57—8.

Mr. Burr's denial of this charge is couched in the succeeding terms :

"You are at liberty to declare from me, that all those charges and insinuations which aver or intimate that I advised or countenanced the opposition made to Mr. Jefferson pending the late election and balloting for president ; that I proposed or agreed to any terms with the federal party ; that I assented to be held up in opposition to him, or attempted to withdraw from him the vote or support of any man, whether in or out of congress ; THAT ALL SUCH ASSERTIONS AND INTIMATIONS ARE FALSE AND GROUNDED LESS."

*Mr. Burr's letter to Governor Bloomfield,
dated Sept. 21, 1802.*

THIS denial, explicit and peremptory as it is, coming from a man high in office and high in the estimation of the world, whose veracity has never been called in question, is entitled to great consideration, and full credit, unless the most irresistible

evidence is produced to prove its fallacy. In it we find nothing like evasion. No attempt to elude any charge, but a full and fair denial of them all. No ingenious and complicated tales, therefore, no vague surmises should be allowed to counteract its force. Of these, however, is Cheetham's *epistle* entirely composed. Not a particle of direct testimony does it contain.

THE next article in this production that arrests our attention, is an anonymous communication, furnished as is said by a gentleman of *unblemished character*, and a *friend of Mr. Cheetham*. How far this is compatible, the inhabitants of this city can readily decide. It has long ago become impossible for a man to sustain a fair reputation, and be the companion of James Cheetham. His intimacy blasts the fairest fame. "His acquaintance is infamy." His society fixes indelible disgrace upon those who tolerate his presence. Even those who have goaded him on in his career of wickedness and folly, shrink from a salutation in the street, and steal to his residence in the silent hours of the night, when innocence and virtue seek repose, but when the spirits of the vicious are most turbulent and active.

THE communication in question is certainly too trifling to excite any other emotion than that of contempt for its author. But as it has been given to the public with an air of importance and mystery, it may be well perhaps to give it a few moments consideration. It begins thus :

" June 25, 1802.

" DR. LINN and the Reverend Mr. Abeel of this city told me, in a conversation I had with them, that they *believed* Aaron Burr had *corresponded* with federal members of congress to get himself elected president of the United States, and that he had agreed to come into their measure."

THESE gentlemen may have *believed* what they are here made to say. But if in the sequel it should appear that their impressions were received from vague report, derived from whispers and surmises floating in the circles of Mr. Burr's political ene-

mies, their *belief* on this occasion will certainly be of little moment. From the very communication before us, it clearly appears that they had no specific information to support their opinions.

THIS is evident; for when this obliging communicator first conversed with these reverend gentlemen, they *believed* that Mr. Burr had *corresponded* with federal members of congress, for the purpose of obtaining the presidency of the United States. "Some time after, however," says this *honest* friend of Mr. Cheetham, "I saw Mr. Abeel, and he said that it was a *mistake* that Mr. Burr had *corresponded* with federal members of congress, but he had made a *verbal* agreement with them, and that if I wanted an investigation of the business, the person was then in town, who would prove the fact."

AND why did not this patriotic gentleman proceed immediately to "investigate the business," by a direct application to the source from which this report was said to issue? If he had for a moment been influenced by public considerations, and not by malice or private enmity; if the good of the community had been his object, this assertion of Messrs. Linn and Abeel might have been examined, and if true, substantiated in the space of a very few days. But no! conduct thus candid, suited not the purposes of Mr. Burr's political enemies. An equivocal complexion was first to be given to the political integrity of Mr. Burr. This information was carefully concealed from his friends, and privately communicated to Cheetham, who, through the medium of his paper, was first to poison the public mind, and predispose it to believe all the calumnies that were in embryo, and were soon to be given to the world, for the purpose of prostrating Mr. Burr's political consequence. The remainder of this communication is so extremely puerile and irrelevant, that it is unworthy of attention. The contemptible source from which it is derived forbids every attempt to point out the misrepresentations it contains. In this city, where he is known, the author is proverbial for want of veracity and stability of principle. It is well known that he has never told the

same story twice in succession, and that the reverend gentlemen in question have frequently had occasion to restrain his impetuosity in the cause of Clinton, and forbid any references to them for the truth of what he uttered.

AFTER a few remarks on this communication, much is said in the letter under examination, about an application which is said to have been made by Mr. Burr to Messrs. Linn and Abeel for a certificate, stating, that their information relative to Mr. Burr's supposed negotiations with the federalists, had been derived from "common report." That such an application was ever made by Mr. Burr or any of his friends, is so utterly false, that even those who know the character of Cheetham, were astonished at this instance of his audacity. If it should be asked why this denial of its truth is not sanctioned by the declaration of Messrs. Linn and Abeel, I answer, that the circumstances under which I write did not allow an application to them on my part. And above all, that it is not my duty to disprove, but Cheetham's to substantiate the truth of what he advances.

I SHALL now proceed to that part of Cheetham's eighth letter, which exhibits a more direct but equally impotent attempt to prove the charge he has advanced.

THE reader will bear in mind, what Mr. Burr has been charged with, to wit, that "he entered into a negotiation with federal members of congress, to obtain the presidency of the United States. That a person being authorized by them to confer with Mr. Burr on the subject, he assented to the propositions of the negociator, and referred him to his confidential friend;—stating also, that after the first vote was taken in the house of representatives, New-York and Tennessee would give in to the federalists."

THOUGH it required uncommon patience and great labour, I have most diligently sought for something like proof in this eighth letter, to support these bold allegations, but in vain; no-

thing but vague assertions reward the perseverance of the reader.

ALL the collateral charges which it contains, have been invented as auxiliaries to the main accusation, and are totally unsupported. That Mr. Ogden was requested by federal gentlemen at Washington, to converse with Mr. Burr on the subject of the then approaching election, is undoubtedly true; but what matters it whether he, or a thousand more had been thus deputed. Mr. Burr cannot be made responsible for the acts of the federal party. He could not control their conduct. The only questions to be determined are, whether Mr. Burr accepted any propositions that were offered? Whether he entered into any engagements to administer the government upon principles dictated by the federal party, and in violation of his own opinions and judgment? Or whether he rejected the advances that were made? That he did so, fully and unequivocally, and even refused to receive their support, appears by the following letters:

“ SIR,

“ THOUGH I have not the pleasure of a personal acquaintance with you, I flatter myself that the contents of this letter will preclude the necessity of an apology for addressing you.

“ IT has been asserted in various publications that Mr. Burr, during the late election for president and vice-president, entered into negotiations and agreed to terms with the federal party, or with certain individuals of that party, with a view to advance himself to the office of president, to the exclusion of Mr. Jefferson. Mr. Burr, in a letter to Governor Bloomfield, dated the 21st September last, declared that all such allegations were false and groundless; and the charges have been renewed in more recent publications, which point to you by name, as the person through whom such negotiations were carried on and terms concluded. It has now become interesting to a great portion of the community to be informed how far these assertions and charges have been authorized by you, or are warranted by your knowledge of facts.

“ HAVING received frequent anonymous communications for the Morning Chronicle, relative to these matters, and being unwilling to occupy the paper with vague and unsubstantiated conjectures or remarks on a subject of such importance, I am induced to apply directly to yourself as an authentic source of information. I do this with the more confidence, from a persuasion that you can have no wish to suffer false reports to circulate under the authority of your name, for mere party purposes; and that, in the actual posture of things, you cannot be averse to declare publicly and explicitly your agency, if any, in the business. I take the liberty therefore of requesting your written declaration to the points above stated, together with any circumstances you may be pleased to communicate, tending to establish the truth or falsehood of the charges in question.

“ I have the honour to be,

“ very respectfully,

“ your obed't serv't,

“ P. IRVING.

“ *New-York, Nov. 24th, 1802.*

“ DAVID A. OGDEN, Esq.”

“ *New-York, Nov. 24th, 1802.*

“ SIR,

“ THOUGH I did not conceive it to be incumbent upon me, or in itself proper, to notice a publication in a newspaper, in which my name was used without my permission or knowledge, yet I have no objection to reply to an inquiry which comes in the shape of that contained in your letter, and from a person of your standing in society.

“ I DECLARE that my journey to the city of Washington, in the year 1800, was purely on private business, and without any understanding or concert whatever with Col. Burr, whom I met at the stage-office on his way to Trenton, not having had before the least intimation of such a meeting; and that I was not then, or at any time, charged by him with any commission or errand of a political nature. In the course of our journey no political conversation took place but of a general nature, and in the presence of the passengers.

“ WHEN about to return from the city of Washington, two or three members of congress, of the federal party, spoke to me about their views as to the election of president, desiring me to converse

with Col. Burr on the subject, and to ascertain whether he would enter into terms. On my return to New-York I called on Col. Burr, and communicated the above to him. He explicitly declined the explanation, and did neither propose nor agree to any terms. I had no other interview or communication with him on the subject, and so little was I satisfied with this, that in a letter which I soon afterwards wrote to a member of congress, and which was the only one I wrote, I dissuaded from giving support to Col. Burr, and advised rather to acquiesce in the election of Mr. Jefferson, as the less dangerous man of the two, to that cause with which I believed the public interest to be inseparably connected.

“ THERE are no facts within my knowledge tending to establish the truth of the charges specified in your letter.

“ With due respect,

“ I am, sir, your obed't serv't,

“ DAVID A. OGDEN.

“ DR. P. IRVING.”

HERE then, is a complete acquittal of Mr. Burr. His conduct upon the occasion, if Mr. Ogden is to be believed, was not merely correct, but highly honourable to himself. From the unreserved language of Mr. Ogden's letter, it was rational to expect that its publication would have terminated the controversy with Mr. Burr, and convinced every impartial man that he had been basely calumniated by an ambitious, corrupt, and self-interested faction; whose members, to raise themselves into consequence and power, have by violence and falsehood attempted to blast the reputation of the most faithful and indefatigable republicans in the state. Previous to its appearance, the community, with great justice declared, that Mr. Ogden's statement on this subject, would establish the truth or falsehood of the charges advanced by the enemies of Mr. Burr. They were determined to rest the decision of the controversy on the contents of his communication, whatever they might be, and viewed him now as the only remaining source from which authentic information could be derived. Aware of the importance of Mr. Ogden's disavowal or recognition of the truth of their assertions, the editor of the American Citizen and his co-

adjutors, adopted every mode their ingenuity could devise, to induce him to remain silent. They alternately flattered and menaced him in their paper. They declared to the world, that if he denied the correctness of their charges, they would prove him to be a man destitute of veracity ; and implored him, if he valued his reputation, to abstain from all interference in the present controversy. Regardless, however, of their threats and impotent denunciations, having no object in view but a true elucidation of the transaction in which he was concerned, Mr. Ogden, when addressed by Dr. Irving, gave the public a concise, but correct and explicit detail of the circumstances that occurred in his interview with Colonel Burr. And I defy the most fastidious casuist to point out any thing that occurred on this occasion, either exceptionable, equivocal, or suspicious. Mr. Ogden states expressly, “ That his journey to Washington was purely on private business, without the least concert or understanding with Colonel Burr, whom he met accidentally at the stage-office, on his way to Trenton ; that he was not then charged with any errand or commission of a political nature ; that while at Washington, he was desired by some federal gentlemen to converse with Mr. Burr on the subject of the election for president ; that when he returned to New-York, he did call on Mr. Burr as requested.” Thus far it will be conceded I trust, that no censure could possibly attach to Mr. Burr. What answer then did Col. Burr return to Mr. Ogden’s proposition ? He states without hesitation, “ that Mr. Burr explicitly declined any explanation upon the subject, and did neither propose nor agree to any terms.” How then, I ask, in the name of justice and reason, has Mr. Burr been faithless to his party ? That he was thus explicit in his answers to Mr. Ogden, appears from the succeeding part of that gentleman’s letter, in which he says, “ that he was so little satisfied after his interview with Col. Burr, that he wrote to Washington dissuading the federalists from supporting Mr. Burr.” That he did write thus is known to be a fact, independent of Mr. Ogden’s assertion, and shows most conclusively, that all his advances were totally rejected.

THE concluding sentence of Mr. Ogden's letter states most clearly, that he knows of no circumstances, tending to establish the truth of the charges exhibited against Mr. Burr.

THUS is demolished the huge mass of incoherent matter which ingenuity, wickedness, and falsehood, had collected to oppose the progress of Mr. Burr's political elevation. Defeated in every point which was susceptible of elucidation, minds influenced by ordinary malice, would have been satisfied with the distraction which had been every where produced, and abandoned the prosecution of their nefarious designs. But the calumniators of Mr. Burr, tortured by a deadly malignity that set all public considerations at defiance, inflamed with the bright prospect of prostrating every local enemy, and rioting in the ruins of their fame, disdained the inglorious shackles of conviction, and unceasingly reiterated refuted falsehoods and exploded aspersions. They boldly accused Mr. Ogden of falsehood, and hoped for momentary safety from this last and shameful "refuge of defeated argument." His unblemished character too they hoped would be withered by their pestiferous approach. Those who are acquainted with that gentleman can justly appreciate these scurrilous insinuations against his veracity. But for the satisfaction of those to whom it is unknown, it will be proper to examine the reasons they assign for having accused him of dishonourable evasion in his letter to Dr. Irving.

WHY, say they, did Mr. Burr refer Mr. Ogden to his confidential friend, if he had no design to encourage the federalists in their opposition to Mr. Jefferson's election? Before this question was asked, it would have been prudent for them to have ascertained whether Mr. Ogden was referred to any person as the friend of Mr. Burr. Had they observed a little caution, they might have derived some advantage from concealing the name of this supposed confidential friend. But with their usual imprudence they declare that Mr. Edward Livingston was the person who was in possession of Mr. Burr's secret and confidence on this occasion, and was to co-operate in raising him to

the presidency. By this act of indiscretion, they have defeated their purposes, and enabled me to *prove* the falsehood of their assertions by the following letter, which will be found in the Morning Chronicle of the 28th April, 1803.

“ SIR,

“ IN consequence of certain insinuations lately circulated, I think it proper to declare, that you did not in any verbal or written communication to me, during the late presidential election, express any sentiment inconsistent with those contained in your letter to General Smith, which was published, or evincing any desire that the vote of the state should be transferred from Mr. Jefferson to yourself.

“ I am, very respectfully,
your most obed't serv't,

(Signed)

“ EWD. LIVINGSTON.

“ The Vice-President of the U. S.”

AGAIN it is asked, why Mr. Burr declared that New-York and Tennessee, on a second ballot, would yield to the federalists? To this I answer, that not a shadow of testimony has been adduced to prove that Mr. Burr ever made that declaration. It is peremptorily denied that he ever uttered such an insinuation.

THUS then the main accusation against Mr. Burr, instead of being *substantiated* by those who preferred it, has been completely *disproved* by positive and unimpeachable evidence; such evidence as the most captious and incredulous mind cannot resist, and such as bids defiance to the efforts of sophistry and malice.

So feeble are the grounds on which it has been attempted to sustain the charges against Mr. Burr, that even his enemies have formally and publicly declared the impossibility of supporting them by positive proof. Mr. Burr's ingenuity, say they, is such, that wherever he is a party, circumstantial evidence should be deemed sufficient. This is assuredly the most impudent attempt to influence the decision of an important public question, ever exhibited in this country. It may be congenial with the spirit of the corrupt governments of Europe, or

the sanguinary maxim of eastern despotism ; but can never be tolerated in a country where not only the persons and property, but the reputation of individuals, are protected by the equitable spirit of mild and impartial laws.

THE good sense of the community renders it unnecessary to dwell on the meanness and injustice of these pitiful artifices ; and lest it may be said that any part of the works under examination, have been left unnoticed, I shall proceed to answer the remainder, being what the calumniators of Mr. Burr call their *circumstantial evidence*.

DURING the controversy with Mr. Burr, much reliance has been placed on the contents of a letter, said to have been written at Washington, and dated the 29th of January, 1801.

THE whole tenour of this letter, the time when, and the singular circumstances under which it was communicated to the public, forcibly indicate that it was the result of preconcert and collusion between those who have produced it, and was written long after the day it bears date. It is a perfect echo of the observations and charges contained in *The View*, &c. and if written at the period alleged, why was it not communicated in that publication ? Is it probable that the enemies of Mr. Burr would have withheld any document which could bear, however remotely, on a charge which it was their whole design to establish ?

THE information contained in the letter I am alluding to, is said by Cheetham (no matter how correctly) to have been communicated to Washington by Gen. Hamilton. It is perfectly immaterial whether it was derived from a federal or democratic opponent of Mr. Burr. The only question to be determined, is, whether he was authorized thus to write ? That he was not, is clearly shown by the preceding testimony which I have noticed, from which it undeniably appears that the contents of this letter are untrue. What motives may have influenced the writer of that communication, I shall not undertake to deter-

mine. But it is as unjust as impossible that Mr. Burr should be made responsible for what different individuals please to write concerning him. All that can be required of him, is, to show that their assertions are not founded in truth. This has been amply done by the satisfactory declarations of Mr. Ogden, on whom Cheetham himself relied for final proof. What can be more absurd, than that Mr Hamilton should have co-operated with Mr. Ogden, or the federal party on this occasion, as it is a well known fact, that he uniformly and strenuously opposed the election of Mr. Burr to the presidency, which I am prepared to prove.

THE solemn and formal manner in which it is stated, that Mr. Ogden was commissioned by the federal gentlemen at Washington to treat with Mr. Burr, is done to give the whole transaction a greater appearance of probability, and the more readily to prejudice the opinions of the people. It is evident from Mr. Ogden's solemn declaration, that he did not go to Washington to obtain this authority, but that he was led there by private business exclusively; and that before his departure, he was requested to procure an interview with Mr. Burr, and ascertain whether he would enter into the views of the federal party. That he would not enter into their views is unequivocally shown from Mr. Ogden's letter and conduct—He immediately wrote, as he himself declares, to Washington, dissuading the federal party from supporting Mr. Burr. And why? The conclusion is irresistible: Because Mr. Burr would not come into their measures. I ask with confidence any reasonable man whether Mr. Ogden would have thus written, if he had not completely failed in his undertaking? If Col. Burr had not rejected the proffered terms, if he had not decisively refused to aid the federalists in their attempts to make him president, would the very man who had undertaken to treat with him, have departed from the propositions he himself had made? Of what consequence then are the letters which Mr. Hamilton or any other gentlemen may have written? I believe every friend of candid discussion and fair argument, will assent to the propriety of rejecting all this irrelevant and incidental matter, and be governed in their judgments by information which is authen-

tic, and can be relied on. This is the only mode in which he can arrive at truth.

THE next subject which is raised for discussion in this "eighth letter," is the conduct of W. P. Van Ness, who it is said in his correspondence with the late mayor of this city, then its representative in congress, attempted to influence his suffrage in the choice of a president. This gentleman, from motives too evident to be mistaken, has frequently been the subject of the most virulent abuse. But as the persons from whom it is known to emanate have long been the objects of public contempt, and of individual abhorrence, their invectives can neither excite uneasiness, nor attach dishonour. Whether he wrote the letters attributed to him, I am unable to decide; nor is it material to his justification, nor necessary to establish the innocence of Mr. Burr. But for the present and for the sake of argument, I shall allow Cheetham the full benefit of his assertion.

IT is said, that the letter to Mr. Livingston advised him, after the first or second ballot in the house, to abandon Mr. Jefferson and vote for Mr. Burr; stating also, that this was the prevailing wish of the republicans at Albany. The last assertion was true, to an extent that warranted the expression, and the first can be justified upon principle.

IT is well known that the constitution of the United States, provides no mode for designating at a presidential election, what candidates are intended for the first or second office in the government. That in case more than one should have a majority of all the votes given, and also an equal number, that the house of representatives shall immediately choose, by ballot, one of them for president. Hence it evidently follows, that in such a conjuncture, the people, in their popular capacity, lose all further control over the election. Their right to elect a president is *lapsed*, and instantly vests in the house of representatives. To them is transferred the sole and exclusive right, of giving a chief magistrate to the union. They then *quoad* that transaction, do not act in the capacity of representatives of

the people, but as a tribunal designated by the constitution under given circumstances, to perform a specific object, foreign to their ordinary duties. Every member of that tribunal is absolved from any previous impulse he may have received, and at full liberty to pursue the dictates of his own judgment in choosing a chief magistrate. When two candidates are presented for his choice, he is not to inquire who was intended for the executive office, but which is most proper to fill that exalted station, and whose administration will probably be productive of the greatest public good. These considerations alone should govern his decision. By him the election is to be considered in an incipient state, totally abstracted from the influence of all previous transactions. Should he suffer himself to be influenced by extrinsic considerations, and pursue what was stated, whether correctly or not, to be the public opinion; if in violation of his own conviction, in direct hostility to his own conscience, he should raise, by his own voice, a man to the presidential chair, through whose incapacity and injudicious administration of the government, his country should be involved in a train of evils, that should terminate in its ruin, how could he justify it to his God, to his conscience, or the world? It would be directly contrary to all justifiable rules of moral conduct; and that policy which is at war with moral justice, rarely advances the substantial happiness of a nation.

THAT in his decision he had pursued the public voice, would be no justification. The sentiments of the people are certainly entitled to respect when they can be fairly and fully ascertained: but the noise of a faction is too often mistaken for the public voice. Though a majority of the people are always honest in their views, still they are liable to imposition, and through want of correct information, often err. The doctrine of the *infallibility of the people* is not verified by experience. It is a species of cant, by which the most flagrant proceedings are often pursued and justified. The political dogma, that *the people can do no wrong*, is as absurd, when applied to the popular sovereign of America, as to the hereditary monarch of England. That the people are politically omnipotent, is true, but that they

have a moral right to will their own destruction, is preposterous, and could never have originated, but in the heated brain of a maniac. Whenever the people, through want of correct information, the artifices of designing men, or the prevailing delusions of the times, warmed by passion, and enlivened by collision, are urging measures in direct hostility to the solid interests of the country, it behoves good men to oppose the heedless torrent, and save their fair inheritance from desolation.

THESE observations will doubtless appear to every reader unnecessary, because self-evident; and I certainly should not have made them, had not the iniquity and treachery of opposing a majority of the people, been painted in glowing colours, and stared us in the face from every page of the publications against Mr. Burr. Fortunately, the very men who profess so much sensibility and solicitude on this subject, are the last who should have introduced it. How, it may be asked, was the administration of the government transferred from federal to republican hands, but by a systematic opposition to the prevailing party, by unceasing exertions to expose the errors of a majority of the people; and, with due deference to their majesty be it spoken, I am not yet prepared to subscribe to their infallibility, notwithstanding the industry of the wise men who have lately been imported, and their affectionate efforts to enlighten them.

IF therefore, Mr. Livingston had been duly impressed with the rectitude of his views and intentions, he would have been perfectly justifiable in transferring his vote from Mr. Jefferson to Mr. Burr, and Mr. Van Ness in urging that measure.

BUT it is said that Mr. Jefferson was intended for the presidency by the *party*, to which Mr. Van Ness was attached, and their wishes he was bound not to counteract. This is a position weaker and far more dangerous than the first. That a man is bound to pursue indiscriminately the measures of his party, however unjust in themselves, or dangerous to the community, is a doctrine not novel in this country, but not the less alarming. That in defiance of his own conviction he should be

driven by an exasperated party, to the support of measures which he deems hostile to the prosperity and happiness of the nation, supposes too outrageous an attack on mental independence, to be tolerated for a moment. If Mr. Van Ness differed in opinion on this occasion from his party, who can doubt that he was correct in attempting to give effect to his sentiments? In a country where there are no tyrannical rules to restrain, nor bloody inquisition to punish the freedom of opinion, men are accustomed to triumph in the uncontrolled expression of their sentiments, and will think differently. If he deemed the political talents of Mr. Burr, superior to those of Mr. Jefferson, and that the government would derive a vigour and dignity from his administration, which the indecision of Mr. Jefferson's character could not give it, he was certainly not singular. The same sentiments may be traced to many of the best republicans in the country; and as it is exclusively a matter of opinion, which is to be referred to the judgment of individuals, who will presume to criminate or proscribe those who profess it? It is not within my design at present to draw a comparison between the characters of those gentlemen, nor shall I ever arraign the integrity of those who may differ from me on the subject. It is a speculative opinion, unconnected with principle.

If there existed the most remote obligation to adhere to Mr. Jefferson as the candidate of a party, it certainly ceased after he had received their fair support throughout the United States, and had been rejected by the house of representatives. Upon that rejection every incidental obligation that could have arisen from party considerations was dissolved, and the two candidates assumed a new and distinct character. There is nothing novel in this opinion. That it prevailed at Albany is unquestionably true. It was prevalent among those, who were there deemed leading and conspicuous men. They openly contended that Mr. Jefferson and Mr. Burr were presented to the house of representative upon equal grounds, with equal claims, and expressed a strong desire that Mr. Burr should be chosen. There were many at that time loud and *bold* enough, in their

professions of similar sentiments, but who now dare not support them, because they are deterred by the rod, which is suspended over them, by factious calumniators and governmental agents.

It will be perceived, that the remarks which have been made on Mr. Van Ness's letter to Mr. Edward Livingston, are equally applicable to those which are said by William S. Pennington to have been written to a gentlemen in Poughkeepsie. The letter of this Pennington to Denniston and Cheetham, and his conduct during the late presidential election, exhibits a compound of folly, hypocrisy, vanity, and villainy, which have been rarely equalled, and I believe never proclaimed to the world, by the very man in whom these qualities are so eminently united. A man who, after wandering for years from state to state, and from one village to another, without talents to procure a subsistence; an itinerant pugilist, who, if known at all, has ever been indebted for his fame to his talents for defamation; who has stained the records of the county in which he lived, and the books of every attorney within reach of him, with prosecutions for assaults, batteries, and slanders; and whose veracity where he was known, has ever been insufficient to give credit to the most ordinary tale, is certainly not a suitable person to calumniate and proscribe men, whose reputations are unspotted, and whose patriotism cannot be questioned. This William S. Pennington, whom Denniston and Cheetham, no doubt at his express desire, have published as an executive counsellor of New-Jersey, has the consummate vanity and impudence to boast of the arts and frauds by which he obtained political preferment, and to esteem himself so elevated above the mass of mankind, and the ordinary politicians of the day, as to be wholly ignorant of such men as Mr. Swartwout and Mr. Van Ness.

THERE is a species of wickedness so wanton and restless as often to frustrate its own purposes. This observation is correctly exemplified in the character of this remarkable personage. His conduct upon the occasion to which I have already alluded, merits a few moments consideration. That his letter to

Denniston and Cheetham is a wicked fabrication, conjured up for the express purpose of furthering the views of Mr. Burr's enemies, cannot be doubted. Knaves often affect accuracy and candour, to impose more successfully upon the credulity of those they mean to deceive. But when they are detected in direct and palpable falsehoods, these serve only to evince more clearly the evil motives by which they were influenced. In this disgraceful situation do we find William S. Pennington. While he is detailing with apparent minuteness, the contents of a letter or letters, which he says were written by Mr. Swartwout at Albany to Mr. Williams at Poughkeepsie, who would believe him so abandoned to all wickedness, so destitute of shame, as to be the sole fabricator of what he states? This, however, clearly and irresistibly appears by the following letter, published in the American Citizen :

TO THE PUBLIC.

“THE false colouring given by the relation of one William S. Pennington, in a letter to Denniston and Cheetham, which appeared in the American Citizen of the 22d inst. and their subsequent malicious remarks, oblige me once more to ask pardon for obtruding myself on the public attention.

“I DECLARE, on my honour, that I did not at any time, advise the election of Mr. Burr, as president of the United States, to the exclusion of Mr. Jefferson; nor did I ever write to any person or persons to that effect; and I hereby authorize Mr. Robert Williams to publish any letter or letters he may have received from me on the subject of the late presidential election. I am induced to contradict the base slanders of those exclusive patriots, by a regard to truth only, and not from a conviction that it would have been either dishonourable to me, or disadvantageous to the country or the republican party, to have promoted the election of Mr. Burr to the presidential chair.”

“JOHN SWARTWOUT.

“*New-York, January 23.*”

THE reader I believe can have no difficulty now in pronouncing this statement of Pennington false throughout. One part

of it having been shown to be a gross violation of truth, the other can certainly be entitled to no credit.

It is to be lamented that this ingenious gentleman was not more circumstantial, while about it, in giving us the contents of his own letters upon the subject of the late presidential election. He has glanced at them to be sure, but has very wisely forbore to enter into detail. Sufficient has been given, however, to direct us in detecting his own malice and baseness.

In the second paragraph of his letter addressed to Denniston and Cheetham, and dated 27th December, 1802, he says, "In the winter of 1800 and 1801, I resided with my family at Poughkeepsie. The subject of the presidential election, as it was natural it should do, engaged much attention, and excited much anxiety. For my own part, I did not think that the federalists were sincere in their attempt to make Mr. Burr president, but that their plans were calculated to prevent Mr. Jefferson's election, that they might have a pretence for creating an executive officer of their own party; and thereby either retain in their own hands the executive power, or in case it was denied them, to disturb the repose of the union." Immediately after he says, that he wrote to several of the New-Jersey members in congress, particularly to Mr. Linn, and endeavoured to impress the opinion on their minds, that Mr. Burr should be elected, rather than the public tranquillity put at hazard; and that the letters, which he says were written by Mr. Van Ness to Mr. Williams, only tended to encourage him in the measures he was pursuing. Here in almost the same breath, this honest and consistent gentleman tells us, that he did not believe, that the federalists were sincere in their attempts to elect Mr. Burr, and in the next, that he wrote to members of congress urging the propriety of yielding to the federalists in the election of Mr. Burr, rather than hazard the tranquillity of the union. Admitting, therefore, for a moment, and merely for the sake of argument, that Mr. Van Ness had written to Mr. Williams, as stated by Mr. Pennington, I will ask, where is the difference between Mr. Pen-

nington's letters to Mr. Linn and others, and that of Mr. Van Ness, on the subject of the presidential election?

THE only difference is, that one was written under an impression, that it would be hazardous to persist in the election of Mr. Jefferson, and the other, as Mr. Pennington himself tells us, under a conviction that the federalists would not seriously attempt the election of Mr. Burr, and that consequently, to adhere to Mr. Jefferson, could not endanger the repose of the country. Does not this indicate some sinister views, some object which he is now solicitous to conceal? Does it not decisively manifest a desire that Mr. Burr should be elected *at all events*? This inference is irresistible, and renders the subsequent conduct of this man most shameful and unprincipled. The interrogatories which were most abusively and inaptly put to another gentleman, may now with much greater propriety be submitted to the serious consideration of Mr. Pennington. Why did he advise the election of Mr. Burr *at all*, if he did not suppose him qualified to fill the presidential chair, and if he was convinced that no danger would result from adhering to Mr. Jefferson?

NOTWITHSTANDING all the artifices by which Pennington has attempted to elude detection, the truth, unfortunately for him, has long been known; and his conduct, so far from being censurable, would have merited approbation, if he had not, from interested views, renounced the sentiments he then held, and proclaimed his infamy, by manifesting the impurity of his motives. The truth is, that he wrote several letters to members of Congress, urging the election of Mr. Burr to the presidency, and assigning numerous reasons to support the propriety of the measure, some of which were not very flattering to the talents and political character of Mr. Jefferson. His correspondent betrayed him, by submitting those letters to the perusal either of the president himself, or some of his personal friends. Soon after the president was chosen by the house of representatives, Pennington applied for the office of attorney of the district of New-Jersey. In consequence of the letters he had written on

the subject of the election, or for some other, doubtless, good cause, the president, in his wisdom, deemed it expedient to bestow that office upon a rival candidate. Pennington at first discovered some resentment and spirit upon the occasion. He reproached his correspondent with basely betraying his confidence, and offered to enter into a public discussion, to justify the rectitude of the principles upon which he had acted. His warmth, however, soon abated. He yielded to his invincible desire for political elevation and pecuniary emolument, and sought every means, however dishonourable or base, to appease the wrath of the ruling powers. No expedient, however humiliating, was left untried to effect this purpose. As opinions and principles were with him, "trifles light as air," he boldly threw consequences behind him; and as the most effectual mode of success, left New-Jersey, to seek an interview with James Cheetham, who, to the honour of the government, boasted of being its Organ in New-York. He made Cheetham his father confessor, and freely acknowledged that he felt some "compunctious visitings of conscience," and was desirous of atoning for the crimes he had committed; that if he now could be of service in calumniating the vice-president, or assist in the attack which had been commenced on Mr. Burr and his friends, he was ready to yield his assistance. He accordingly received the forgiveness of the Pope, and the thanks of his emanuensis Mr. Cheetham, who informed him, he would soon be applied to, for information on the subject to which he had alluded. This forlorn and weeping penitent returned from his pilgrimage to his solitary home, which had not yet been blessed with the enlivening influence of governmental patronage. Cheetham wrote for the information which had been promised, and his new pupil, with humble and contrite zeal, furnished the letter which is now under review. As a specimen of the truth it contains, the reader will have the goodness to compare the first sentence with the above recital. The sentence to which I allude is in these words: "It is a thing that has ever been very foreign from my expectations, that any thing which passed between Mr. Robert Williams and myself, on the subject to which you

allude, would ever become a matter of public investigation.²² The reader may now form an accurate estimate of the veracity and character of this shameless associate of James Cheetham.

THERE is another gentleman whom it will perhaps be proper to notice here, as in some measure connected with this part of the subject. His conduct has been such as has evinced the most consummate hypocrisy, or at least a puerile and contemptible mutability of opinion. From his late conduct it is not perhaps generally known, that Mr. Gilbert Livingston wrote letters to persons at Washington of the same tenour, with those of Mr. Pennington. Indeed his unreserved censure of the sentiments contained in these letters, was calculated to suppress any suspicion that he had ever attempted to propagate them. I approach this gentleman with reluctance, as it is the custom of his friends to save him from animadversion, by interposing the sanctity of his character. Piety is entitled to reverence, wherever it is found, and even hypocrisy if well assumed, or prejudices, though unfortunately associated with stupidity, are entitled to some respect. But *outward* purity alone should never be allowed to save from exposure, a multitude of sins. A mantle pervious to the feeblest vision, should not be permitted to arrest the search after truth. The ridiculous and inconsistent conduct of this man serves to show that his mind is too feeble to form, and too fluctuating to adhere to, any decisive opinion upon the most ordinary subject. Although from outward appearances he has derived a character superior to Pennington's, he has by an attachment to his temporal interest, and the artifices of designing men, been betrayed into the same conduct. At one moment he has been the eulogist, and at another the severe calumniator of Mr. Burr. At New-York he has professed entire satisfaction with his conduct, and avowed a conviction of his innocence. At Poughkeepsie he has pronounced him guilty of the charges exhibited against him, and of deep designs to subvert the liberty of his country. This conduct has already rendered him a miserable object of ridicule, and will soon consign him to oblivion and contempt. Some attribute this puerile instability to the weakness of his mind, which, light as a gos-

samer, flutters in every breeze, and yields without resistance to its impulse—

“ *Which makes them take him for a tool
That knaves do work with, call'd a Fool—*”

OTHERS charge it to a busy and restless propensity to be engaged in petty broils. It is a just remark, that “old fools are babes again,” and his neighbours would do well to furnish this person, with a rattle or a straw, to divert his attention from private mischief and political *seduction*.

It is somewhat singular that this Mr. Livingston and his friend Pennington, after having been the first to avow and propagate the same sentiments as those ascribed to Mr. Van Ness and Mr. Swartwout, should also have been the first to condemn them. They must either have deemed those sentiments correct, or not. If they pursued the dictates of their own understandings, their conduct was unexceptionable, and censure attaches to them only for not daring openly to justify it. If not, they have acted like knaves and hypocrites, for having attempted to lead others into error, and afterwards reprobating the very measures they recommended, and the arguments they urged to influence their decisions. This is hypocrisy in its most pure and odious state.

THESE very men who have been so solicitous to trace up to Mr. Burr, the letters which they most officiously choose to ascribe to Mr. Van Ness and Mr. Swartwout, will certainly not admit that they were operated upon by the same influence. Why then is it to be presumed that others were? The answer again recurs, because the political character of Mr. Burr was to be prostrated, and because all those who would probably resist such an iniquitous attempt, were to be involved in his fate. Besides, there is evidence apparent on the face of the transaction, that these letters were unauthorized by Mr. Burr.

BUT independent of the inferences arising from these facts,

I have investigated this subject as far as the circumstances under which I write will allow, and unequivocally state, and if necessary will prove, that Mr. Burr had no knowledge of such letters as have been spoken of by Mr. Pennington.

IF Mr. Burr in this advanced stage of the election, (for it has been shown that he did not before) had attempted to compass the presidency, it is impossible that he should have resorted to such inefficient measures.

HIS enemies allow that he has ever been judicious in the choice of means to accomplish his purposes. If he had been disposed to become a competitor for the presidency, would he not at least, instead of going to Albany, have appeared upon the field of action in person, and have supported his pretensions by his presence? No man of reflection who was attentive to the events of that period, can possibly doubt, that if he had pursued this conduct, he would now have filled the presidential chair. This opinion it may be said, is injurious to the characters of some of the then representatives of the people; be it so, their own conduct has justified the censure. It is undoubtedly true, that several members of the house of representatives were disposed to abandon Mr. Jefferson and vote for Mr. Burr, or that they were at least suspected of such intention by the friends of the latter gentleman. It is also true, that those members continued to vote for Mr. Jefferson, and that they subsequently *received lucrative and honourable appointments*. Nay more, I believe there would be no difficulty in proving that a member of that congress, declared, after the contest was terminated, that he would have abandoned Mr. Jefferson, if the federalists had offered him sufficient inducements. With this strong, direct, and irresistible coincidence of circumstances before them, who can doubt that the presidency was *up for sale*, to be struck off to the highest bidder? that if Mr. Burr had been on the spot, and could have descended so far as to promise political preferment, or official emoluments and honours, he would now have administered the government of the United States? These remarks may be deem-

ed derogatory to the dignity of an American Congress. No one respects that body more than I do. But when corruption or even its instruments, are permitted to enter its sacred walls, infamy should await them—and with the facts which I have before me, part of which only have been enumerated, I do not fear to investigate the subject in any way my enemies may choose.

I THEREFORE invite the accusers of Mr. Burr to show, that any approaches were made to individual members of congress, that any political preferment, any offices of honour or emolument, were promised, either directly or indirectly by Mr. Burr or any person authorized by him. With such subjects to operate upon, if Mr. Burr could possibly have attempted to obtain the presidency without resorting to these means, on failure of others, he must have been worse than an idiot; and unless it can be shown that he did, he stands acquitted of the charges exhibited against him.

IT will now be proper to recapitulate what has been said upon the subject of Mr. Burr's political conduct, and present to the reader in a condensed form, the charges which have been exhibited against him, and the evidence by which they have been repelled.

IN the first place, it is apparent from what has been said in the former part of this work, that all the assertions and insinuations which have been made by the enemies of Mr. Burr relative to his political conduct previous to the year 1800, are false and malicious; that they are designed for no other purpose than to prejudice the public mind; and thus dispose it to acquiesce in the principal charges against him.

2dly. It has been shown most conclusively, that Mr. Burr never attempted to divert a single electoral suffrage from Mr. Jefferson. I beg leave to impress upon the mind of the reader, that this has never even been brought forward against Mr. Burr in the shape of a distinct charge; certainly because no

possible evidence could be adduced to support it. And also, that this of all others, was the mode Mr. Burr ought and undoubtedly would have pursued, if he had really formed a design to supplant Mr. Jefferson in the government.

3dly. IT was stated in *The View*, &c. that previous to the presidential election, " Mr. Burr dispatched political agents to the different states; viz. Mr. Bishop of New-Haven, to Pennsylvania, and Mr. Timothy Green of New-York, to South-Carolina. This has been shown to be totally untrue; 1st, by two letters of Mr. Bishop, published in the *American Citizen* on the 3d and 19th of August 1802; and 2dly, by one of Mr. Green given in the 75th page of this pamphlet.

4thly. IT was insinuated that Mr. Burr had tampered with Mr. Lisenard, one of the electors of this state. This is decisively repelled in the 73d and 74th pages of this work.

5thly. THAT Dr. Smith of New-Jersey was, under certain circumstances, to have voted for Mr. Burr. This is clearly disproved by Dr. Smith's letter contained in page 71.

6thly. THAT to induce the southern states to give Mr. Burr an equal number of votes with Mr. Jefferson, it was reported that the latter gentleman would have two votes in Rhode-Island, and Mr. Burr none. This is explained and repelled in page 74.

THE public will doubtless feel some curiosity to see in what manner the accuser who originally advanced the above charges, has attempted, in his *Reply*, to meet my refutation. All that I can find in his pamphlet, which can be supposed intended for this purpose, is contained in the following passage.

" The intelligent citizen who has read the publications against Mr. Burr, and compared them with the defence set up by Aristides, will deem a reply unnecessary. In regard to Mr. Burr's negotiation with Mr. Ogden, the *cardinal* accusation, Aristides has said

nothing either sufficiently novel or interesting to require particular notice. His defence consists of Irvin and Ogden's correspondence, the letters of Timothy Green, Samuel S. Smith, of New-Jersey, John Swartwout, and allusions to Abraham Bishops correspondence with me. As these have been fully answered in former publications, to notice them here would be superfluous. *It is sufficient to refer the reader to the "Nine Letters," and to a subsequent publication entitled "A letter on the conduct of the adherents to Colonel Burr."*

KNOWING that very few persons have had patience and fortitude enough to carry them through his *Nine Letters*, and that no one of those who have succeeded in it, will ever recur to them again for any purpose, it will be allowed that this is not a bad contrivance. The reader perceives at once that it is of a nature to defy an answer, even if I were ever so much disposed and able to make one. I must therefore leave him in full possession of all the advantages to which he may be entitled.

UPON an impartial investigation of this subject, then, I believe no candid mind can resist the conviction that Mr. Burr's conduct previous to the meeting of the electors was honourable and fair. This is too evident to be urged farther. That he continued to act with good faith throughout, and never deviated from the sentiments expressed in his letter to General Smith, previous to the commencement of the contest in the house of representatives, appears conclusively from the statement contained in the preceding pages, confirmed and corroborated by the correspondence of Messrs. Ogden and Irving, contained in page 84, and the letters of Mr. E. Livingston and Mr. Swartwout.

I HERE close the discussion of this part of the subject, persuaded that Mr. Burr's conduct through the whole of the last presidential election has been unexceptionable, and that the public will properly appreciate the views of his enemies: that they will clearly discern the interested motives that impelled them to the attack on the vice-president, and in the end do justice to his reputation.

I WAS by no means sorry to see the first symptoms of indig-

nation that were manifested by the people against the vice-president. It evinced a laudable jealousy of the privileges they enjoyed under their happy constitution, and a proud determination to protect it against the invasions of ambition. It is true that this jealous spirit when uncontrolled, is often irritated for improper purposes, by factious and designing men, and when unattended by a love of investigation, degenerates into tyranny. But when by proper patience and mild demeanour, a spirit of inquiry can be excited, this danger ceases. No evil is to be apprehended when the people will take the trouble to examine for themselves, and not rely upon the assertions of those whose interest and design it is to deceive them. When they are determined to proceed with moderation and temper, to examine into the truth of any reported designs against their safety, justice will certainly be done; and that a correct judgment may be formed, it will be extremely useful to examine from what quarter and in what shape the subject is brought before them.

WHEN the character of an eminent individual is assailed, and the accusations against him are involved in mystery, and confounded with a multitude of known falsehoods, it is a convincing proof that they have originated in designs deeper than those that are avowed: when they are attended with bitter and rancorous invectives, it discovers an impurity of motive, that requires the most rigid explanation. When, too, they originate with men destitute of stability and standing in society, who have neither respectability of name, nor weight of fortune to support them, but who have always been found among the factious and unworthy part of the community, a hasty decision should be avoided. This is emphatically applicable to the attack which has lately been made on the vice-president. Instead of a fair and temperate investigation of a subject which was susceptible of a speedy and easy elucidation, the most indiscriminate abuse has been lavished on him, and his friends, through every medium calculated to convey it. Newspapers, pamphlets, nay, volumes have been devoted to the destruction of Mr. Burr's reputation, and that of those who were disposed to defend him against such base treatment.

THE laws of decorum have been shamefully violated. Those who were honest enough to resist this wicked combination, were ridiculed and insulted. All this was submitted to with a becoming moderation and temper. No measures were pursued that could irritate the public mind, which, already heated by the collision of various interests, and prejudiced by volumes of falsehoods, could neither be directed nor controled. When the sensibility of the people is highly excited, the doctrines of a political sect may sometimes obtain an ascendancy, however ridiculous they may be in theory, or dangerous in practice. But it can only continue, until the casual circumstances which have produced it, are removed by the operations of returning reason. At this moment, therefore, when the mists of error are dispersing, and a spirit of sober inquiry beginning to prevail, I have presumed to solicit a few moments attention. As far as the controversy with Mr. Burr is personal, it gives me no concern; but when indignities are offered to the understandings of the people, and impositions practised upon them, involving momentous consequences to our common country, patriotism demands an effort to resent and detect them.

THE agents that were employed on this occasion, were well calculated to accomplish the objects their superiors had in view. Two desperate and notorious offenders against the laws and government of their native country, engaged with alacrity in inferior mischief. These hireling trumpeters of faction who write and calumniate for bread, goaded on by their dastardly employers, have insulted and convulsed the nation, by a series of the most unbridled licentiousness ever countenanced in a country that boasts of a well organized government.

THIS state has been the principal theatre of action, where factious spirits have indulged in mischief with impunity. The agitations that have occasionally appeared in Pennsylvania and elsewhere, are only branches of the same corrupted stock. This unhappy state, by the unguarded admission of foreign fugitives, has become the fountain of evil, from which flow a thousand streams, that pervade and poison the whole country.

IN Pennsylvania, Duane has attempted to render the government subservient to his disorganizing schemes, and is now denouncing its officers, for justly resisting his pernicious projects. We there find men who have grown grey in honourable service, who have either obtained laurels in the field, or honour in the cabinet, and should find their reward in the gratitude and attachment of their country, assailed by this foreign renegado, who has here found refuge from the resentment of every country, in which he has ever dared to seek an asylum.

THIS wretch, who it is said is insensible to disgrace, tho' not "unwhipt of justice," boasts of controlling the politics of the state in which he lives, and of having the power to elevate or depress, every political character at pleasure.

THESE ebullitions of his vanity and insolence, are collected from letters now before me, and coincide with verbal communications to which I am ready to refer.

ALTHOUGH Duane, in the attack which has been made on the character of Mr. Burr, has only appeared as the satellite of Cheetham, and the humble copyist of his slanders, he has occasionally transgressed the limits which his prudence or his cunning had prescribed. Conscious that the calumnies against the vice-president could not be supported, he at first abstained from any direct interference, but perceiving that they were treated with silence and contempt, he assumed more confidence, and ventured to give them some collateral support. An insidious editorial article appeared in the *Aurora* of the 13th of June 1802, which states that the editor a few days before, had been invited to breakfast at Mr. Matthew L. Davis's in New-York; that he there found Mr. Swartwout and Mr. Van Ness; that in conversation on the subject of the publications, which had appeared against Mr. Burr, he (Duane) "recommended explanations, and wished for such explanations, as might prevent divisions and further jealousies, but it was evidently too late, for Mr. Davis attacked the president in very unworthy language, for which he was reprimanded."*

* See *Aurora*, June 13, 1802.

THE friends of Mr. Burr have certainly been criminally indifferent to the slanders of this common libeller. I examined into the truth of this statement at the time the article in question appeared, and most unequivocally assert that no such language was used upon that occasion, and that every thing stated in the paragraph just quoted, is false.

IF Duane shall think it expedient, to contradict what is here said, I shall convict him before the public, of having deliberately fabricated and published a direct and palpable falsehood.

INNUMERABLE lies like these, have been circulated through the country, and many by constant repetition have at length passed for truths. By an unvaried perseverance in such diabolical measures, the enemies of the vice-president, have doubtless succeeded in some places, in producing impressions unfavourable to his political reputation. It is impossible that the fairest fame could resist such systematized abuse. For as in the natural world the hardest bodies wear away by constant collision, so in the moral, the purest character may be ruined by bold and unceasing calumnies. Conscious that while his influence continued, it would be exerted to oppose their disorganizing projects, the first and favourite objects of the opponents of Mr. Burr, was, to deprive him of the confidence of the administration. The most absurd deceptions were attempted to be practised upon Mr. Jefferson, and the friends of Mr. Burr represented as inimical to all the officers of government. The common rights of citizens were almost denied them. The privilege of discussing the measures of government, when exercised, was deemed indicative of designs to prostrate those in power. By these means has the influence of the government, at least partially, been brought in, to support the measures of a faction.

SURELY Mr. Jefferson cannot be so far deceived, or so illiberal, as to believe that every man who differs from him in opinion upon mere speculative subjects, or such questions as daily arise in the progress of public business, are either his personal foes, or enemies to the government which he administers. If

he does, he should at least have the firmness to avow it. If not, he should drive from his confidence that band of knaves and sycophants, who are infusing those poisonous ideas into his bosom. Men of virtue cannot associate with them; and while they continue to revolve close around the centre of public power, every honest citizen will withdraw, and view with determined, though sorrowful indifference, the evils they produce. It is time for him to arouse from his inactivity, and shake off those pests who hang about him, and who in the end will deprive him of the esteem of his fellow-citizens. The people in general, and more especially those, who have been held up to the world in false and odious colours, have a right to demand a firm and decisive conduct on this subject, from the chief magistrate of their country.

BEFORE, however, he determines ultimately to act, and on whom to rely for support, he should view with composure, the parties that are arrayed against each other. On the one side he will find revolutionary merit; men too proud to bend the knee to power, too honest to associate with rogues, and too brave to be driven from the independent exercise of their opinions, by any faction in the country. On the other, a set of disorganizing cowards, who seek to profit by the confusion they create, who if possible, will lead him into error, and betray, when they can no longer assist him. Above all, let him remember who placed him where he is, and he will find they are not those who are denouncing Mr. Burr.

THESE remarks are intended for the serious consideration of Mr. Jefferson. To me the result of his reflections upon this subject is immaterial; but to him it may be important. He is certainly interested, and deeply too, in the divisions that prevail. Upon mature investigation, he will find that the publications against Mr. Burr, have in truth, no connexion with a defence of his administration; but that the question is, whether a few factious individuals shall monopolize the honours and emoluments of the government, or whether Mr. Burr shall retain that station and influence to which his talents and political

knowledge justly entitle him? He will find that in this state, the opponents of Mr. Burr dare not meet him on the true ground of dispute, but that they resort to the government to fight the battles which they are unable to sustain; that there is a wide distinction between the men who have wrested the government from federal hands, and the miserable minions of De Witt Clinton. He should resort for information to other sources, than a news-paper which is supported by private funds for the exclusive purposes of slander. He would then be informed that James Cheetham, who has hitherto received support from the general government, is the tool of individuals, who know no motives of action, but such as are founded in indiscriminate opposition to Mr. Burr. All respectable men, who have been deluded by the sophistry and professions of this wretch, are withdrawing their countenance, and again embarking in the support of those genuine principles of freedom that first saved us from slavery, and then from the pernicious tendencies of federal policy.

* * * * *

THERE are still a few men left, who have acted the most unworthy part in relation to this controversy, and who merit the severest chastisement. But to enumerate them all, and examine their individual characters, would be "making war with bedlam." In due time, however, they shall feel the rod, as it is impossible long, to view in silence, the misfortunes that afflict our distracted and unhappy state.

GOVERNED, as it has been for the last three years, by an old man, who, through the inevitable imbecility of age, has lost not only the sagacity necessary to detect the frauds that are practised upon him, but the vigour to punish the base instruments who have led him into error, it is neither to be denied

nor concealed, that the state of New-York has experienced all the evils of a wicked, as well as an incapable administration. Oppressed by the withering hand of time, and sinking under infirmities of every kind, this gentleman is rejoiced to escape from the duties of his office, and to transfer the burthen of government to other hands. It is his misfortune to have selected men destitute of virtue and of talents; to have been surrounded by creatures who are notorious for their political crimes; who are ready to desert him in distress; and who, when "shorn of his honours," would be the first to calumniate and betray him; who with all the levity of intoxicated folly, now boast of directing the government of the state, and of acting alternately as *Secret Governor* to his Excellency.

THAT men of probity and character have been excluded from his councils and his confidence, the disorders that have disgraced his administration, will testify. That knaves and sycophants have held the reins of government, and driven us to the brink of ruin, must be evident to every man conversant with our political concerns. But the people are becoming sensible of the evils that oppress them, and the period is approaching, when the united efforts of "all honest men," will prostrate this phalanx of iniquity, and restore the honour and dignity of the state.

THIS pamphlet, as it originally appeared, ended here; but the state of things which has since arisen, and which now exists, induce me to add a few, though but a few words more.

TO ALL REAL REPUBLICANS.

GOVERNOR CLINTON having declined to stand a candidate for the chief magistracy of this state, in the prospect of succeeding to the vice-presidency of the United States, two persons are now offered to your choice: one Mr. Morgan Lewis, of the family of Livingston, the other the much calumniated, injured, and ill-treated subject of the preceding pages. It is for you to decide between them.

It is not my intention to swell this pamphlet, already too large, by entering at much length into the subject of this election, interesting as it is. I shall neither criticise Mr. Lewis's title to your suffrages, nor attempt to display the superior merits of the vice-president. If Mr. Lewis has any claims to your preference, they are yet to be made known—that he was once a violent federalist, and apostatized from the cause, not from principle, but from the meanest mercenary calculations; that he is a despicable changeling, without enough of virtue to keep him steady in any one path for any length of time; that if he wanted an office, and could obtain it by going back again to the federalists to-morrow, and making the most servile submissions, he would do so without scruple; in short, that he is as deficient in talents or solid acquirements, as he is destitute of even the decent appearance of principle, is altogether unnecessary to observe to any one who has ever heard of the name of Morgan Lewis.

As to Mr. Burr, you are not now to learn what is his character, nor what are his merits: my purpose is merely to repel one calumny more, which his enemies have resorted to as their last hope. They have had the audacity to assert, that Mr. Jefferson, the idol of the republican party, has entirely deserted Mr. Burr, and denounced him as a statesman. This falsehood I shall dispose of in the most satisfactory manner.

ON the authority of three members of Congress from this state, *Oliver Phelps, Esq. General David Thomas, and Colonel Erastus Root*, well known to all of you, I assert, that Mr. Jefferson, within three weeks past, declared to Mr. Phelps, that he should consider himself as no way interested in the approaching election for Governor in this state; that he deemed both candidates republicans, and supported by friends to the administration; and added, that he should not view him (Mr. Phelps) as being less attached to the national administration, or to himself, if he should determine to take part with Mr. Burr in preference to Mr. Lewis. The same frank declaration was made by Mr. Jefferson to Gen. Thomas and Col. Root, in a subsequent conversation with them.

IF any thing further could be necessary, this I contend amounts to conclusive evidence that Mr. Jefferson himself does not believe one word of the charge made against Mr. Burr, as to his having intrigued for the presidency. If he did, he would never have permitted any thing to escape him that would in any way have been favourable to Mr. Burr's future elevation. Now then, let these foul-mouthed detractors look abroad for fresh sources of calumny; let them resort to some new artifices to ruin the reputation of the man, whom they hate with the malignity of fiends, because they envy and dread his superiority over them.

TO THE CANDID FEDERALISTS.

I SHALL not attempt to persuade you that Mr. Burr is a federalist, nor shall I give myself the trouble of making his eulogy. To come at once to the point: without setting up Mr. Burr as a perfect character, allow me to observe, that the question which now presents itself for your consideration, is, where can you find a man at this juncture, with purer views, more capable of opposing the detestable *faction* which rules this state? Individuals have sometimes been found who were willing to sacrifice themselves to a cause, but nature never formed men for voluntary martyrdom; nor can it be expected that any party, not absolutely insignificant and contemptible, will continue to submit in silence to an intolerance and oppression whose direct object is to crush and destroy them. Without some speedy and effectual change of men and measures, therefore, I hesitate not to say, a train of evils the most frightful and alarming, must soon take place. How this state has been governed for three years past, it is unnecessary here to describe; how it would be governed the next term, a tolerable conjecture may be formed, if we reflect that to the influence of a *De Witt Clinton*, and a *Spencer*, is to be added that of Mr. *Maturin Livingston*, the hopeful son-in-law of Mr. Lewis. It is beneath me to permit my indignation to rise against this well known Black-Legs, whose whole talents since he came to years of discretion have been employed in reducing gambling of every species to a science, and whose whole consequence

has arisen from the property thus acquired, at the expense of his most intimate friends of both sexes ; but the important situation to which he is to succeed in the event of Mr. Lewis's success, renders it necessary he should not be permitted entirely to escape me through an ill-timed contempt. This is the empty-headed, upstart coxcomb, who vaunts that "to be born of the name of *Livingston* was a fortune,"—who, with unparalleled insolence and equal folly, ill-breeding and malignity, lately asserted in the presence of two respectable witnesses at Albany, that "*the federalists were a damned contemptible* FACTION, and Judge Lewis did not want one of their votes." Such language in the mouth of such a man may serve to give some slight idea of what the federalists have to expect from the government when it gets into the hands of Mr. Lewis, over whom, though apparently his toad-eater, he is said to have a complete control.

It is not that I ask your support of the vice-president, but I ask your opposition to a set of people who are determined to sacrifice every man, and every thing that for a moment stands in the way of their ambition or their avarice.

I SAID I was not about to make the eulogy of Mr. Burr—I am not ; a single observation only shall be indulged :—Even his worst enemies allow that he possesses in an eminent degree, intelligence, liberality, and discernment. I leave the rest to your own reflections.—I trust the period is not remote, when the enemies of virtue, talents, and patriotism, will tremble and stand aghast at the *hand-writing upon the wall*—"THE UNION OF ALL HONEST MEN."

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